

A public hearing was held in the Police Jury Meeting Room, Courthouse Building, Crowley, Louisiana, on at 6:30 P.M., on Tuesday, March 10, 2015, in the Police Jury Meeting Room, Courthouse Building, Crowley, to receive comments on the proposed amendments to the following ordinance:

ORDINANCE

AN ORDINANCE CORRECTING AND AMENDING ORDINANCE # 947,
ABDANDONED VEHICLE ORDINANCE. THE AMENDED ABANDONED
VEHICLE ORDINANCE IS AS FOLLOWS.

For the purpose of identifying changes to the Abandoned Vehicle Ordinance all deletions from the original ordinance or indicated by ~~dashed lines through such words~~ and all additions or indicated by underlining such additions.

BE IT ORDAINED by the Police Jury of Acadia Parish, Louisiana, proceeding under its police power and further pursuant to the laws of the State of Louisiana, that:

SECTION 1. Definitions

The term "junked, wrecked or used automobiles or motor vehicles" as used herein shall mean any motor vehicle which is totally inoperable, which has been left unattended on any unused portion of an occupied lot, neutral ground, vacant lot, or any portion of any unoccupied lot, highway, road, street or sidewalk, within the parish, and is so damaged or dismantled as to be a total loss.

The term "total loss" shall mean that the cost to repair said damaged or dismantled motor vehicle exceeds the junk value, as determined by any recognized national appraisal book.

The term "abandoned major appliance" shall refer to any refrigerator, freezer, range, machinery or other metal, tin or discarded items which are not operable or in use, and which are so damaged or dismantled as to be a total loss and not worth the cost of repairs.

SECTION 2. Prohibited –

There is hereby prohibited the storing or abandoning of junk, wrecked or used automobiles or motor vehicles, or any part or parts thereof, or any other junk, discarded or abandoned major appliances, such as refrigerators, freezers, ranges or machinery or other metal, tin or other discarded items, on any portion of any occupied lot, on any street, highway, or road, neutral ground, vacant lot or on any street or sidewalk, within the Parish, and any unoccupied portion of a lot within a recognized subdivision within the parish.

SECTION 3. Removal by Parish generally.

(a) The Police Jury shall be responsible for the administration of this article and shall

remove or cause to be removed from the highways, roads, and sidewalks in the Parish, or any unoccupied portion of a lot within a recognized subdivision, any unused portion of an unoccupied or occupied lot, neutral ground or vacant lot within the parish all junked, wrecked or used automobiles or motor vehicles or any other junk, discarded or abandoned major appliances, such as refrigerators, freezers, ranges or machinery or any other metal, tin, or discarded items.

(b) Prior to the removal of any such vehicle or major appliance the Police Jury shall give notice that if such vehicle or appliance remains on the public ways or on any unoccupied portion of a lot within a recognized subdivision, any unused portion of an unoccupied or occupied lot, neutral ground or vacant lot within the parish described above for ten (10) days after such notice it shall be considered public property and removed from the highway, road or street, or any unoccupied portion of a lot within a recognized subdivision on which it is located and sold for junk. The notice shall further state the following:

- (1) The date the notice was placed on the vehicle and/junk;
- (2) The date the ten (10) days will expire;
- (3) That any person claiming to have an interest in the vehicle, appliance or junk should contact the Police Jury.

(c) In the case of a junked, wrecked or used automobile or motor vehicle the notice shall be placed on the vehicle itself or given to its owner, if known.

(d) The Police Jury, after the time provided herein has expired, shall remove or cause to be removed the junked, wrecked or used automobile or motor vehicle or the junked, discarded or abandoned major appliance from the highway, road, street, or any unoccupied portion of a lot within a recognized subdivision, where the same is located, any may convey same to a scrap iron dealer approved by it for sale as scrap iron.

SECTION 4. Collection of removal costs from owner of material - The cost of the removal of any abandoned junk, not to exceed ~~one~~ two hundred dollars (~~\$400.00~~ 200.00), may be collected from the owner of such material by civil action in a court of competent jurisdiction.

SECTION 5. Records of vehicles - A complete record shall be kept of all junked, wrecked or used automobiles or motor vehicles removed from highways, roads, streets with the details as to the date of placing the ten (10) day notices, the date of removal from the highways, roads or streets, and the names and addresses of the scrap iron dealers to whom they were taken or who picked them up.

SECTION 6. Reports to state.

A report shall be furnished to the Director of the Motor Vehicle Division of the Department of Revenue, State of Louisiana, each month, with the following information:

- (1) The location where the junked, wrecked or used automobile or motor vehicle was abandoned.
- (2) All identification information available.
- (3) Date of sale and name and address of scrap iron dealer who purchased the junked, wrecked or used motor vehicle.

SECTION 7. Contract for removal - For the purpose of carrying out the provisions of this article the President of the Police Jury and the Police Jury's Secretary are hereby authorized to enter into an agreement with an approved towing service for the removal of abandoned, wrecked or used automobiles or motor vehicles from the highways, roads, and streets and any unoccupied portion of a lot within a recognized subdivision of the Parish. This towing service shall act for and be the agent of the Police Jury in the removal of such vehicles. Any such agreement shall be approved by the President and Secretary and by the District Attorney as to form and legality.

SECTION 8. Use of proceeds of sales - The proceeds received by the Police Jury from the sale of property pursuant to the provisions of this article shall accrue to the Police Jury's General Fund.

Mr. Greg Mouton, resident of Crowley, LA, stated that he was opposed to the proposed amendments to the ordinance because the language of the ordinance was too general and would enable anyone to call and have other resident's belongings reported and picked up. He further stated that the State Police already have a system in place when it becomes a safety issue.

Juror Dale Trahan expressed opposition to the amendments to the ordinance.

Juror A. J. Broussard expressed opposition to the amendments to the ordinance.

THERE BEING NO FURTHER COMMENTS THE PRESIDENT ADJOURNED THE PUBLIC HEARING.

SECRETARY