

A public hearing was held in the Police Jury Meeting Room, Courthouse Building, Crowley, Louisiana, at 6:30 P.M., on Tuesday, September 8, 2015, in the Police Jury Meeting Room, Courthouse Building, Crowley, to receive comments on the following ordinance:

ORDINANCE

AN ORDINANCE AMENDING TALL GRASS ORDINANCE #897; PROVIDING FOR THE NOTICE, COSTS, AND EXPENSES TO BE COLLECTED.

Ordinance #897 is hereby amended to read as follows: (to facilitate the interpretation of changes made to Ordinance #897, the following indicates words deleted by ~~dashes through such words~~ and indicates words added by underlining such words).

SECTION I. DEFINITIONS.

The following definitions shall apply to the interpretation and enforcement of this article:

- (a) Lot: Any lot, portion of lots or other property improved or unimproved, located within a recognized subdivision.
- (b) Recognized: A recognized subdivision is defined as:
 - (1) Any tract of land in the unincorporated areas of the Parish which has been approved as a subdivision by the Parish Planning Commission and accepted as such by the Parish Police Jury or illustrated and/or indexed as a "DETAILED SUBDIVISION" within and as part of the Acadia Parish Road System.
 - (2) A subdivision having a plat recorded with the Acadia Parish Clerk of Court and the Tax Assessor whereby 50% plus one (1) of the occupied landowners have signed a petition requesting enforcement of this ordinance in their subdivision.
 - (3) Any lot that is bounded in whole or part on three sides by a recognized subdivision.
- (c) Obnoxious weeds: Shall include but is not limited to Chinese tallow trees a/k/a "chicken trees."

SECTION II. PROHIBITION ON LOTS OR PROPERTY IN THE PARISH.

- (a) It shall be unlawful for the owner of any occupied or unoccupied lot located in a recognized subdivision outside of the municipalities in Acadia Parish to permit and allow to remain upon said lot any

grass or obnoxious weeds that have reached a height of more than twenty (20) inches.

- (b) In the event that unoccupied lots are used for commercial farming and designated as such by virtue of continuous use, they shall be excluded from the provisions of this article, but in no case shall the owner, tenant or occupant of such property allow it to become a haven for rodents or other dangerous animals or reptiles.

SECTION III. NOTICE.

- (a) Upon notification to the Parish Police Jury that an owner of a lot or lots is in violation of Section II (a), the Police Jury will notify said owner by registered or certified letter notifying him of the violations and that the grass and obnoxious weeds must be cut within fifteen (15) days after the receipt of registered or certified letter.
- (b) In the event that confirmation has not been received for a registered or certified letter and the letter is returned to sender, a Legal Notice will be affixed to a sign and the sign then installed on the lot or lots. The owner will then have fifteen (15) days to cut the grass and obnoxious weeds.
- (c) In the event that an owner has violated Section II of this Ordinance twice or more in a calendar year then the Police Jury will notify said owner by registered or certified letter at the start of the following calendar year stating that the lot in question will be monitored on a monthly basis and grass cut each month thereafter without any notice given.

SECTION IV. ENFORCEMENT.

- (a) If after fifteen (15) days the owner of said lot has not cut and removed the grass and obnoxious weeds, the Police Jury will cause the grass and obnoxious weeds to be cut by a private contractor who will be chosen from rotating order.
- (b) The Police Jury shall appoint a designee and is hereby authorized and empowered to carry out and enforce this provision of the article.
- (c) The designee is hereby authorized to enter property found by the Parish to be in violation of this article.

SECTION V. COSTS.

- (a) The lot owner found to be in violation of this article will be charged an administrative fee of ~~thirty five dollars (\$35.00)~~ one hundred fifty dollars (\$150.00) per lot plus the actual cost to the Parish for legal fees, postage and work performed. ~~having the work performed.~~

SECTION VI. LIENS.

- (a) If the charge has not been paid within thirty (30) days after receipt of the bill, the Police Jury shall file a certified copy of said charges with the recorder of mortgages, and the same, when so filed and recorded shall operate as a lien and privilege against the property on which said weeds and grass were cut and removed.
- (b) The designee is authorized to accept full payment of the lien herein levied and is empowered and instructed to authorize the Parish Clerk of Court to cancel and erase such lien from his records.

SECTION VII. EXPENSES TO BE COLLECTED AS AD VALOREM TAX.

- (a) Whenever the Police Jury has taken action to abate the aforementioned nuisances by the employing of Parish forces or by a private contractor and paying for the cutting, destroying and/or removal of such weeds and grass, as set forth in this article, the actual cost and expenses thereof plus the ~~\$35.00~~ \$150.00 administrative fee shall be charged to the owner of such lot. The aforementioned charges shall be added to the annual ad valorem tax bill of the property involved if the charges remain unpaid and shall be collected in the same manner as fixed by law for the collection of taxes and shall be subject to the same penalties and delinquencies.

SECTION VIII. BE IT FURTHER ORDAINED that any laws or parts of laws in conflict are hereby repealed.

MISCELLANEOUS

STATE LAW REFERENCE La. R.S. 33:1236(21)(a)(I)

EFFECTIVE DATE

Ten days after being promulgated as provided in R.S. 33:1366.

Juror David Savoy stated that there should be an exception for excessive rain.

Juror A. J. Broussard inquired as to how the ordinance would be enforced if a person worked on a schedule where they were gone for 30 days or more at a time.

Mr. Lee Hebert, Tall Grass Ordinance Compliance Officer, stated that it had been his procedure to work with land owners in the past when there were periods of excessive rain or they were away from home for work.

The Jury suggested including a statement as Section 8(a) to provide that the fifteen (15) day period be determined at the discretion of the compliance officer.

Mr. Tony Broussard, resident of Acadia Parish, inquired as to why the Police Jury was only concerned about tall grass in subdivisions and why did the Police Jury not take care of residential and commercial districts that are not in a subdivision. He further inquired if the Police Jury was only concerned about the wealthy citizens of Acadia Parish that resided in registered subdivisions.

President Julie Borill stated that the Police Jury did not have jurisdiction in the unincorporated areas of Acadia Parish because there are no zoning ordinances.

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

SECRETARY