

TOWN OF DUBACH

ORDINANCE NO: 392-A

AN ORDINANCE OF THE TOWN OF DUBACH TO AMEND ORDINANCE 392 REGARDING STORING JUNK, DEBRIS, AND INOPERABLE CARS TO PROVIDE FOR CRIMINAL PENALTIES FOR VIOLATIONS OF SAME

WHEREAS, it has been determined to be in the best interest of the Town of Dubach and its citizens that the Town's Storing Junk, Debris and Inoperable or Abandoned Vehicles Ordinance be amended to provide for criminal penalties for the failure to comply with same;

NOW THEREFORE BE IT ORDAINED BY the Board of Aldermen of the Town of Dubach that Dubach Ordinance 392 titled Storing Junk, Debris and Inoperable or Abandoned Vehicles Ordinance is hereby amended to add Section 5 regarding criminal penalties as follows:

**STORING JUNK, DEBRIS AND INOPERABLE OR  
ABANDONED VEHICLES ORDINANCE**

**Section 5. Criminal Penalties**

A. No person in charge of or in control of any property, whether as owner, lessee, tenant, occupant, or otherwise, shall permit any nuisance or junk, wrecked or used automobiles or motor vehicles, as defined in Dubach Ordinance 392 on property if said vehicle is observable to the public or otherwise is causing a hazardous health or dangerous condition. Additionally, no owner of any nuisance, including any junk or wrecked or used automobiles or motor vehicles, shall leave said nuisance or vehicle on any property if said vehicle is observable to the public or otherwise is causing a hazardous health or dangerous condition.

B. Any owner, lessee, tenant, or occupant of any property, and owner of any nuisance, including any junk, wrecked or used automobiles or motor vehicles, if different than property owner, who, within ten calendar days after notice of the offending condition referenced herein, or within ten calendar days after mailing of the notice referenced herein, fails to remove such nuisance or vehicle from the property shall be subject to the criminal penalties set forth in subsection D of this section. If mailed, the mayor or mayor's designee shall send by certified mail notice of the offending condition to the owner of the nuisance, including any junk, wrecked or used automobile or motor vehicle, and/or the owner, lessee, tenant, or occupant of the property where such nuisance or vehicle is located at the respective address reflected by the utility records maintained by the Town or by its ad valorem rolls. Any notice provided for in this section shall advise the owner of such nuisance or vehicle and/or the owner, lessee, tenant, or occupant of the necessity to remove such nuisance or vehicle.

C. The term "property" as used in this article shall mean any occupied or unoccupied premises located within the municipal limits of the Town of Dubach, Louisiana. Moreover, the term "owner", as used in this article, shall mean any person who has any ownership interest whatsoever in the subject property irrespective of the percentage of that ownership interest or the manner in

which the ownership interest has been acquired.

D. In addition to the civil penalties and costs set forth in Section 4 of the Dubach Storing Junk, Debris and Inoperable or Abandoned Vehicles Ordinance, whoever violates this Section shall be fined not less than \$100.00, nor more than \$500.00, and any such fine imposed shall not be subject to suspension.

E. The conviction of any person for a second or subsequent violation of this section occurring within 18 calendar months of a prior conviction therefor shall result in a fine of not less than \$250.00, nor more than \$500.00, imprisonment for not more than 60 days, or both, and any fine imposed shall not be subject to suspension.

F. The term "person" as used in this article shall be interpreted to include any natural person, corporation, limited liability company, partnership, or other similar juridical entity.

BE IT FURTHER ORDAINED that if any portion of this ordinance shall be held to be invalid, such invalidity shall not affect other provisions herein which can be given effect without the invalid provision and to this end the provisions of this ordinance are hereby declared to be severable.

This Ordinance was duly introduced, the title of this ordinance was duly published in accordance with law, and then duly read and adopted on the \_\_\_ day of \_\_\_\_\_, 2023 by the following votes:

\_\_\_ YEAS \_\_\_ NAYS \_\_\_ ABSENT \_\_\_ ABSTAIN.

This Ordinance was adopted on the \_\_\_ day of \_\_\_\_\_, 2023 and presented to the Mayor for signature on the \_\_\_ day of \_\_\_\_\_, 2023 (which is less than 3 days from the date the ordinance was adopted).

\_\_\_\_\_  
TOWN CLERK

Approved by the Mayor on this \_\_\_ day of \_\_\_\_\_, 2023.

\_\_\_\_\_  
MAYOR