

TOWN OF DUBACH

ORDINANCE NO: 393-A

AN ORDINANCE OF THE TOWN OF DUBACH TO AMEND ORDINANCE 393 REGARDING OFFENSIVE ACCUMULATIONS WEEDS AND GRASS 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 Offensive Accumulations, Weeds, and Grass 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 393 titled Offensive Accumulations, Weeds, and Grass Ordinance is hereby amended to add Section 10 regarding criminal penalties as follows:

OFFENSIVE ACCUMULATIONS, WEEDS AND GRASS ORDINANCE

Section 10. 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 weeds, grass, or other noxious growth over one foot in height to stand or grow on the said property or on any abutting sidewalk or banquette.
- B. Any owner, lessee, tenant, or occupant of any property who, within ten calendar days after personal service of written notice of the offending condition referenced herein, or within ten calendar days after mailing of the notice referenced herein, fails to cut, destroy, or remove the weeds, grass, or other noxious growth shall be subject to the criminal penalties set forth in subsection D of this section. If mailed, the mayor or his designee shall send by certified mail notice of the offending condition to the owner, lessee, tenant, or occupant 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, lessee, tenant, or occupant of the necessity to cut, destroy, or remove the weeds, grass, or other noxious growth.
- C. The term "property" 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 section, 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 Sections 5 - 9 of the Dubach Offensive Accumulations, Weeds, and Grass 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 section 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