

PROPERTY MAINTENANCE ORDINANCE

No person owning, leasing, occupying or having charge of any private property located within the corporate limits of the Town shall maintain or keep any nuisance thereon.

1. Definition of “nuisance.” For the purposes of this subsection (4), the term “nuisance” is defined to mean any condition or use of premises or of buildings exteriors which is detrimental to the property of others, or those things which are determined by the town council to be dangerous or potentially dangerous to human life and health including, but not by way of limitation, weeds, dead trees, trash, garbage and standing water. This includes, but is not limited to, the keeping, retaining, or depositing on, or the scattering over the premises of, any of the following:
 2.
 - i. Lumber, junk, trash, debris, glass or building material.
 - ii. Abandoned, discarded or unused objects or equipment such as automobiles, furniture, stoves, refrigerators, freezers, cans or containers.
 - iii. Standing water in residential swimming pools, ponds, or other receptacles.
 3. Exterior storage of nonoperating vehicles prohibited.
 - i. No person in charge of or in control of premises, whether owner, lessee, tenant, occupant or otherwise shall allow any partially dismantled, wrecked, junked, discarded or otherwise nonoperating motor vehicle(s) to remain on private or public property longer than ten days; and no person shall leave any such vehicle(s) on any property within the Town for a longer time than ten days. This section shall not apply with regard to any vehicle(s) in an enclosed building. This section shall further not apply with regard to any vehicle(s) on the premises of a business enterprise operated in a lawful place, other than in a residential district, and operated in a lawful manner, when the keeping or maintenance of such vehicle (s) is necessary to the operation of such business enterprise; or with regard to a vehicle(s) in an appropriate storage place or depository maintained in a lawful place and manner by the Town or any other public agency or entity. *This section shall also not apply to any motor vehicle in an operable condition specifically adapted or constructed for racing or operation on privately owned drag strips or raceways, nor to any motor vehicle retained by the owner for antique collection purposes rather than for salvage or transportation.*
 - ii. For the purposes of this section, the terms “junk, wrecked or used automobile or motor vehicles” shall mean any motor vehicle which is totally inoperable, left unattended on any lot or parcel of property and is so damaged or dismantled as to be a total loss. The term “total loss” shall mean that the cost to repair a damaged or dismantled motor vehicle exceeds the junk value of said vehicle.
4. Notice of violation of the provisions of this section, other than one for a motor vehicle, shall be sent by certified mail, return receipt requested to the last known owner of the lot or parcel of ground upon which the public nuisance is located as determined by the

conveyance records of Acadia Parish. The notice shall advise the property owner to abate and remove the public nuisance within a time specified by the notice, to be not less than 10 days from the posting of the notice. The notice shall be:

- (a) in writing and dated;
 - (b) specify the public nuisance and its location;
 - (c) specify the corrective measures required;
5. In cases involving a motor vehicle, a notice shall be securely affixed to such vehicle stating that the vehicle is in violation of the provisions of this section and notifying the owner thereof that it will be removed by the Town upon the owners' failure to remove the vehicle within the period of time provided for in the notice. Any vehicle remaining on any property following the expiration of the ten days from the date of the notice shall be deemed to be public property and shall be disposed of by the Town in accordance with established Town procedures.
 6. If the owner shall fail or refuse to abate the nuisance within the time required in the notice given as provided above, the Town may cause such nuisance to be abated; and when the abatement is done, the Mayor or his designated appointee shall compile the cost of such work done or improvements made in abating such nuisance. The work to be performed hereunder shall be done at the expense of the record owner of the vacant lot, vacant place or vacant area and may be performed with the personnel and equipment of the Town or by means of a contract with a third person. The actual cost to the Town, including reasonable administrative charges, of the work of mowing and/or cleaning the premises referred to in this section, whether performed by the Town or by private contractor, shall be charged to the person owning the premises, and shall be due and payable on the date of completion of such work.
 7. After the abatement of the nuisance by the Town, and after notice to the owner that the cost or expense thereof has not been paid within ten days, the Town Clerk may furnish the owner, as shown on the last assessment roll of the Town, by certified mail, return receipt requested, a written statement showing the cost or expense incurred for the work, and the property on which the work was performed. If the statement is not paid within one month thereafter, the amount thereof shall be included in and form part of the taxes due by the owner on such property or may be collected by the Town in any manner allowed by law. A certified copy of such costs may also be filed with the parish clerk of court, and when such copy of costs is so filed, the Town shall have a privilege upon such lot or parcel of real estate, second only to tax liens, to secure the expenditures so made, and ten percent per annum interest on the amount from the date of completion of work. After the fixing of any such lien and for any such expenditures, and interest, suit may be instituted and recovery and foreclosure had in the name of the Town and any court of competent jurisdiction, and in any suit or action, the statement of charges so made, or a certified copy thereof, shall be prima facie proof of the amount expended in any such work or improvements.
 8. Any person desiring to appeal the requirements of the notice shall request a hearing in writing before the Town Council within ten days of the receipt of the notice. Any person aggrieved by a decision of the Town council shall have the right to appeal the decision of the Town council to a court of appropriate jurisdiction within 15 days of the decision by the Town council.

9. Any lot, property, or portion thereof which is used for the purpose of storage of junk, as herein defined, shall be surrounded or enclosed by a board fence or other suitable fence approved by the housing enforcement official, which fence shall be not less than eight (8) feet tall and shall block the view of the stored junk from the adjoining properties and streets.
10. Any owner or occupant of real property located within the corporate limits of the Town who violates any provision of this section, shall be deemed guilty of a misdemeanor and, upon conviction, shall be punished by a fine of not less than \$100.00 nor more than \$500.00, or by imprisonment of not more than 60 days, or by both such fine and imprisonment. In addition to the penalties contained in this section, the court may order that every defendant convicted after a trial or after pleading guilty, pay restitution to the Town in an amount equal to the amount of expenses and charges incurred by the Town in cutting, destroying or otherwise removing any grass, weed or other growth from the defendant's property pursuant to this section. In no case shall the fines and the amount ordered as restitution exceeds \$500.00. It shall not be a defense to prosecution under this section that the Town performed the work necessary to correct the noted deficiencies and violations, or that the Town caused such work to be done.