

**ORDINANCE NO. 3 OF 2023**

**TRASH ON PROPERTY**

BE IT ORDAINED by the Town of Port Barre, Louisiana, duly convened in regular session on the 3rd day of October, 2023, that Ordinance No. 3 of 2023 is now enacted, to read as follows:

- A. In order to improve the cleanliness and sanitary condition of all premises and properties within the corporate limits of the Town of Port Barre, Louisiana, it is hereby made compulsory upon all property owners, residents and inhabitants of the Town of Port Barre, to keep their respective premises or property, at all times, in the condition following: All trash shall be raked up and hauled away; and all tall grass and weeds shall be cut down and hauled away; all stables, chicken coops, dog kennels, pens of different pets, etc., shall be kept clean and the refuse hauled away and disposed of; under the buildings, accumulated trash and rubbish shall be removed and hauled away; all holes or depressions in yards or elsewhere about the premises, where water is liable to stand, or become stagnant, must be properly drained or filled; all sanitary and other closets and urinals shall be cleaned sufficiently often to prevent them from becoming offensive in smell, or otherwise becoming a nuisance; and provided, that where any sanitary, or other closet or urinal is so constructed that the use of it becomes a nuisance, the same shall be repaired or remodeled in such a manner that the use thereof will not produce a nuisance; all lumber, bricks, etc., shall be piled up in an orderly manner and so as to not impede drainage or otherwise prove unsanitary; and any other unsanitary condition that may be about such premises or property shall be corrected upon notification by the mayor, or any police, code enforcement or health officer of the municipality.
- B. Any person, property owner, tenant or occupant, or any agent or any premises or property within the corporate limits of the Town of Port Barre, who shall neglect or refuse to place his property or premises, or such property or premises, as may be under his care, control or custody either as occupant, owner, tenant or agent, shall, upon conviction, be subject to the penalties provided in subsection (c), and each day's violation of this section shall constitute a separate offense.
- C. The term "trash," when used in this Section, shall mean any accumulation of discarded, used or unconsumed substance or waste. "Trash" may include, but is not limited to, any trash, refuse, debris, rubbish, grass clippings or other lawn or garden waste, newspaper, magazines, glass, metal, plastic or paper containers, any nauseous or offensive matter of any kind, any object likely to injure any person or anything else of an unsanitary nature and waste or scrap building materials that are not completely within a dumpster, leach box or metal garbage container.

D. Whoever is found to be in violation this Section shall be punished as follows:

1. Any person found in violation of this ordinance shall be subject to a penalty of up to \$100.00. The violator shall be given a notice of violation and a period of 30 days to remedy the situation;
2. If the violator fails to remedy the situation within the 30-day period following the issuance of a notice of violation, a notice of second violation will be issued, and shall subject the violator to a penalty of up to \$200.00;
3. If the violator fails to remedy the situation within the 30-day period following the issuance of a notice of second violation, a notice of third violation will be issued, which shall subject the violator to a daily penalty of \$10.00 until compliance is achieved, not to exceed \$500.00;
4. In the event that the penalties for the third violation above have reached \$500.00 and the violation continues unabated, the town may initiate a new series of violations;
5. If the property owner refuses or neglects to remove such trash from the property within 30 days after receiving said notice, the Town, in addition to the penalties set forth in this Subsection, may provide for the removal of the trash at the expense of the property owner and/or violator; and
6. In the event that the fines imposed under this ordinance, including those from a new series of violations, remain unpaid after the prescribed period, or in the event the Town incurs costs removing the trash, or both, a tax lien may be placed on the property to collect amounts due from the violator. The tax lien shall be in the amount of the outstanding fines, plus any additional costs or interest incurred. The tax lien shall be filed and enforced in accordance with the applicable laws of this parish and state.

**BE IT ORDAINED** by the Board of Aldermen for the Town of Port Barre, Louisiana, duly convened in regular session on the 3<sup>rd</sup> day of October, 2023, that the provisions of this ordinance are hereby declared to be severable, and if any provision, word, phrase, or clause of this ordinance or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect the validity of the remaining portions thereof.

**BE IT FURTHER ORDAINED** by the Board of Aldermen for the Town of Port Barre, Louisiana, duly convened in regular session on the 3<sup>rd</sup> day of October, 2023, that this ordinance shall become effective immediately upon signature of the Mayor.

THUS, the above Ordinance No. 3 of 2023 was submitted for consideration of adoption on this 3<sup>rd</sup> day of October, 2023.

  
TOWN CLERK

  
MAYOR

After necessary publication, public hearing and required lapse of time, with no opposition on file, Ordinance No. 3 of 2023, was submitted and presented for final adoption at the October 3, 2023, regular Council Meeting on a motion by Alderwoman Hebert, seconded by Alderman Robin, a record vote was taken with the following results:

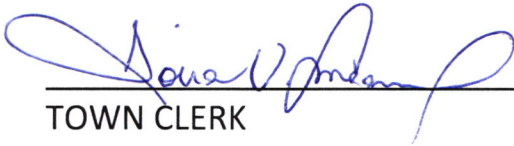
Yeas: Robin, Hebert, Kimble, S. Hardy, G. Hardy

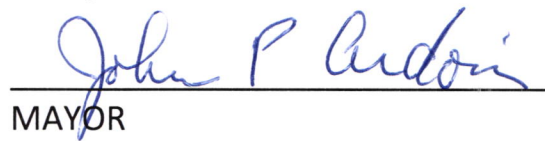
Nays: None

Abstain: None

Absent: None

The vote having been taken, Ordinance No. 3 of 2023 was adopted on this 3<sup>rd</sup> day of October, 2023 to become effective immediately.

  
TOWN CLERK

  
MAYOR