



Chapter 12 Nuisances

Article IV. Weed Control in Residential Areas

Section I. Article IV. (Weed Control in Residential Areas) and Article I. & Article II. (Salvage and Scrap Materials) shall be enforced in “clearly established residential areas on state highways and parish roads” in addition to recognized subdivisions in St. Martin Parish. (Ord. No. 03-02-0304-OR)

Sections 12-38. – 12-46. Reserved.

Section 12-47. Applicable Jurisdiction.

The geographical land area affected by this article is hereby defined as all unincorporated areas of Upper St. Martin Parish and Lower St. Martin Parish. (Ord. No. 00-05-0022-OR)

Section 12-48. “Lot” Defined.

The word “lot” as used in this article shall mean any lot, portion of lots or other property improved or unimproved, located within a residential area, whether or not the residential area is a dedicated subdivision.
(Ord. of 9-18-84 * 1)

Section 12-49. Prohibited on occupied property or abutting sidewalks or neutral grounds.

(a) No tenant or occupant of any leased or occupied lot, place or area shall permit any noxious weeds, grass or deleterious, unhealthy or noxious growths, over twelve (12) inches in height, to grow or stand on any lot, place or area leased or occupied by said person, or on any abutting sidewalk or neutral ground.

(b) In dedicated subdivisions, all lots shall be maintained at a height not to exceed one (1) foot, whether occupied or unoccupied.
(Ord. of 9-18-84 * 2)

Section 12-50. Prohibited on unoccupied property or abutting sidewalks or neutral grounds.

(a) No owner of any lot, place or area not leased or occupied by another person shall permit any noxious weeds, grass or deleterious, unhealthy or noxious growths, over two (2) feet in height to grow or stand on any lot, place or area owned by such person, or any sidewalks or neutral ground abutting any lot or area owned by such person.

(b) Naturally forested areas shall not be disturbed unless abutting an occupied lot and then only to the extent of fifty (50) feet adjacent to such occupied property. If such naturally forested areas are determined to harbor rodents or other harmful animals, then the owner shall be required to take appropriate action to eliminate same.

(c) In the event that unoccupied property is used for commercial farming and designated as such by virtue of occupancy and continuous use, it shall be excluded from the provisions of this article; but in no case shall the owner of such property allow it to become a haven for rodents or other dangerous animals. (Ord. of 9-18-1984 * 3)

Section 12-51. Notice to abate.

The Police Jury may notify, in writing, the owner of any lot, or the agent of such owner, to cut, destroy and/or remove any such weeds, grass or deleterious, unhealthy growths, trash, junk, debris, discarded or noxious matter, found growing, lying or located on such owner's lot; provided that such written notice shall be by certified mail addressed to the owner or the agent of the owner, at his last known address. (Ord. of 9-18-84 * 4)

One notice of nuisance complaint shall be issued in any one year (twelve month time period). Repeat violations within the next twelve (12) month time period shall cause a notice of removal to be issued and parish or contractor abatement within seven (7) days is authorized. (Ord. of 11-3-98)

Section 12-52. Abatement by parish.

Upon the failure, neglect or refusal of any owner, or agent of such owner, to cut, destroy and/or remove weeds, grass or deleterious, unhealthy growths, trash, debris, refuse, discarded or noxious matter, growing, lying or located upon such owner's lot within fifteen (15) days after receipt of the written notice provided for in section 12-51, or within fifteen (15) days after the date of such notice, in the event the same is returned to the St. Martin Parish Police Jury by the post office department because of its inability to make delivery thereof, provided the same was properly addressed to the last known address of such owner, or agent, the Police Jury may order by parish forces or by contract and pay for the cutting, destroying and/or removal of such weeds grass or deleterious, unhealthy growths, trash, debris, refuse, discarded or noxious matter. (Ord. of 9-18-84 * 5)

Section 12-53. Expenses to be collected as taxes.

Whenever the Police Jury has taken action to abate the forementioned nuisances by the employing of parish forces or by contracting and paying for the cutting, destroying and/or removal of such weeds, grass or deleterious, unhealthy growths, trash, debris, refuse, discarded, or noxious

matter, as set forth in this article, the actual cost of expenses thereof shall be charged to the owner of such lot. Such costs and expenses 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. The Police Jury shall demand of the owners of such property the payment of such charges, cost or expense. (Ord. of 9-18-84 * 6)

Section 12-54. Lien for expenses.

After the cutting, destroying and/or removing of weeds, grass, deleterious, unhealthy growths, trash, debris, refuse, discarded or noxious matter by the Police Jury and after due notice required in this article, if the cost or expenses thereof shall not be paid within ten (10) days after demand, the Police Jury shall cause to be recorded in the mortgage office of the parish, a sworn statement showing the cost and expense incurred for the work and the date, lot on which said work was done, and the recordation of such sworn statement shall constitute a lien and privilege on the property, securing the payment by the property owner of said charges, cost and expenses. (Ord. of 9-18-84 * 7)

Section 12-55. Effect of sworn statements.

Sworn statements recorded in accordance with the provisions of this article shall be prima facie evidence that all legal formalities have been complied with and that the work has been properly and satisfactorily done, and shall be full notice to every person concerned that the amount of the bill, plus interest, constitutes a charge against the lot designated or described, in the statement, and that the same is due and collectible as provided by law. (Ord. of 9-18-84 * 8)