

ORDINANCE

No. 837

AN ORDINANCE PROVIDING:

FOR THE REGULATION OF NOXIOUS WEEDS, GRASS, VINES, BRUSH OR OTHER DELETERIOUS, UNHEALTHY, OR NOXIOUS GROWTHS OR ACCUMULATIONS ON ANY SIDEWALK, LOT, PLACE OR AREA;

FOR ASSESSMENT ON THE OWNER OF PROPERTY ABUTTING SUCH SIDEWALK, AND ON THE OWNER OF SUCH LOT, PLACE OR AREA, FOR THE COST OF CUTTING, DESTROYING OR REMOVING SUCH NOXIOUS WEEDS, GRASS, VINES, BRUSH OR OTHER DELETERIOUS, UNHEALTHY GROWTHS OR ACCUMULATIONS:

AND FURTHER PROVIDING FOR COLLECTION OF SUCH ASSESSMENTS THROUGH INCLUSION OF SAME ON PROPERTY TAXES FOR SAID PROPERTY.

BE IT ORDAINED by the Mayor and the Board of Aldermen of the Town of Homer, Louisiana, acting in its governing authority in regular session:

1. RESPONSIBILITY OF LAND OWNERS

- A. The owner of any land or property in the Town of Homer has the responsibility to maintain all such property in a condition free from noxious weeds, grass, vines, brush or other growths or accumulations.
- B. The owner of any land or property in the Town of Homer which adjoins or abuts any sidewalk has the responsibility to maintain such abutment or adjoinment in a condition free from weeds, grass, vines, brush or other growths or accumulations.

2. INSPECTION AND REGULATION OF WEEDS, GRASS, VINES, BRUSH, OR OTHER GROWTHS OR ACCUMULATIONS

The Town Inspector and/or Street Superintendent in and for the Town of Homer, is hereby authorized and charged with the responsibility to conduct regular and periodic inspections of the sidewalks, blocks, lots, and other areas within the corporate limits of the Town of Homer, for the purposed determining when the cutting destroying, or removing of noxious weeds, grass, vines, brush or other deleterious or unhealthy growths or accumulations may be necessary.

3. NOTICE TO OWNERS

- A. When the Town Inspector and/ or Street Superintendent determines that the presence, growth, or accumulation of noxious weeds, grass, vines, or brush or other growths on any property within the corporate limits of the Town of Homer constitutes an unhealthy, unsafe, or unsanitary condition, the Street Superintendent shall report same to the City Clerk, together with a description of the property and its condition.
- B. Upon receipt of such report, the City Clerk shall prepare and send a notice directed to the owner of said property, as shown on the most recent assessment roll. Said notice shall state that the owner must cut, destroy, or remove all noxious weeds, grass, vines, brush and other growths or accumulations within 10 days after the receipt of said notice. The City Clerk shall send said notice by registered mail to the owner at the address shown on the most recent assessment roll.

4. POWER OF TOWN TO UNDERTAKE CUTTING, DESTRUCTION OR REMOVAL

If the landowner has failed to cut, destroy or remove the weeds, grass, vines, brush or growths or accumulations on said property after the expiration of the notification period; or if the notice is returned unclaimed, the Street Superintendent shall recommend the weeds, grass, vines, brush, and other growths or accumulations to be cut, destroyed or removed. The Street Superintendent shall thereafter file with the City Clerk a record of the actual cost of such actions.

5. PAYMENT OR COLLECTION OF COSTS

If the cost of these actions, together with the cost of notification, has not been paid within 10 days of the completion of the cutting, destruction or removal, the City Clerk shall send a written statement of the costs, and identifying description of the place on which the work was done, by registered mail, to the owner of said property, as shown by the most recent assessment roll. If said statement is not paid within one month after receipt by or on behalf of the owner, the amount thereof shall be included in and form part of the taxes due by the owner of said property. If said statement is returned unclaimed, the amount thereof shall be included in and form part of the taxes due by the owner of said property.

6. COLLECTED COSTS CREDITED TO GENERAL FUND

Amounts collected for these charges and costs through the payment of taxes shall be credited to the general fund of the Town of Homer.

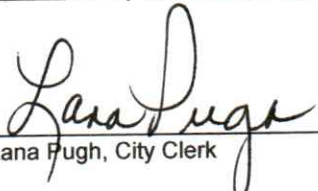
7. PUBLIC RECORD MAINTAINED

The Treasurer for the Town of Homer shall maintain a record of such charges prior to the filing of the tax rolls, which record shall be open to inspection at all times and which shall constitute legal notice to the purchasers of the property, or parties lending money thereon, to the assessment.

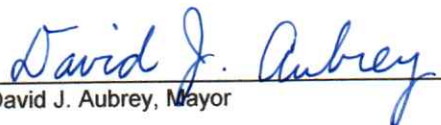
8. REPEATED OR CONTINUING FAILURE TO MAINTAIN PROPERTY

- A. If a landowner has been notified pursuant to Paragraph 3 at any time in the preceding six months, and has failed to do the required work thereafter, the Street Superintendent, upon complying with the conditions set forth in Sub-Paragraph B, may undertake the cutting, destroying or removal of weeds, grass and other growths on a monthly basis without further notification under Paragraph 3. Any actual costs incurred in such monthly cutting, destroying, or removing of weeds, grass or other growths shall be collected according to the procedures set forth in Paragraphs 4 through 7 above.
- B. Prior to undertaking a procedure on monthly cutting, destroying or removing weeds, grass or other growths from property under sub-paragraph A, the Street Superintendent and/or Town Inspector shall submit and record an affidavit in a special record maintained at City Hall in the Town of Homer. Such affidavit shall:
- 1) Be signed by the Mayor
 - 2) Contain a description of the property sufficient to reasonably identify same;
 - 3) Be accompanied by a photograph sufficient to reasonably identify its unsafe and unsanitary condition and to justify the necessity for cutting, destroying, or removing weeds, grass, vines, brush and other noxious growths or accumulations;
 - 4) State that the responsible property owner has within the past 6 months failed to do such work after notification and opportunity to do so pursuant to Paragraph 3.

On a motion by Alderman Keith Beard, seconded by Alderman Joseph Merritt the Ordinance was read section by section and the roll call vote of 5 Yeas, 0 Nays, 0 Absent. This Ordinance was declared adopted on this the 2nd th day of August, 1999.



Lana Fugh, City Clerk



David J. Aubrey, Mayor