

ORDINANCE NO. 861

WHEREAS, the TOWN OF HOMER has received numerous complaints regarding garbage, trash, and junk;

WHEREAS, the TOWN OF HOMER has researched the issues and believes amending its statute to more clearly define the town's goals and enforcement;

Accordingly:

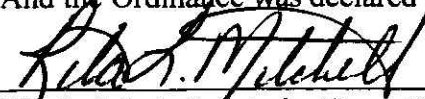
BE IT ORDAINED by the Mayor and Board of Selectmen of the Town of Homer, Claiborne Parish, Louisiana, in regular session on May 2ND, 2005, duly assembled, that:

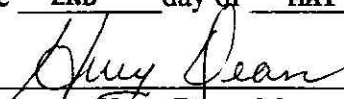
1. Sections 9-1 through 9-6 are hereby rescinded.
2. Sections 9-9 is renumbered as 9-1 with the heading Article I Weeds and Grass.
3. Sections 9-7 and 9-8 are renumbered as 9-2 and 9-3 with the heading Article II Litter.
4. Each item on Exhibit A, except those items deleted, shall be numbered beginning with Sections 9-4 and following.
5. Items 10-37 on Exhibit A shall be the penalty provision for Articles II Litter unless otherwise stated, substituting the words in Sections 1-11 for 1-8.
6. There shall be added an Article III Junk, which sections shall be consecutively added in Chapter 9, in accordance with Exhibit A.
7. Any penalty provisions referencing Section 1-8 shall be written to reference 1-11.
8. Sections 10-50 through 10-52 shall be omitted on Exhibit A.
9. References in Section 10-47(c) of Exhibit A shall be changed to reference District Court.
10. Section 10-8 of the Homer code is rescinded.
11. The title of Chapter Nine is changed to Weeds, Litter, and Junk.

This ordinance shall be effective immediately as of passage.

The above ordinance was read and considered section by section and as a whole and upon a motion by Alderman BILLY "KIRK" JENKINS, seconded by Alderman JESSE FORD, the ordinance was passed by the following vote:

Yeas: -5- Nays: -0- Absent -0-
And the Ordinance was declared adopted on the 2ND day of MAY, 2005.


Rita L. Mitchell, Interim Town Clerk


Huey Dean, Mayor

WEEDS, LITTER, AND JUNK

ARTICLES I WEEDS & GRASS

SEC 9.1 Offensiveness accumulation, weeds and grass

a- Responsibility of land owners.

- 1) 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.
- 2) 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.

b) 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, block, 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 growth or accumulations may be necessary.

c) Notice to owners.

1) When the town inspector and/or street superintendent determines that the presence, growth, or accumulation of noxious weeds, grass, vines, or brush or other growth o 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 it condition.

2) Upon receipt of such report, the city clerk shall prepare and send a notion 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 with ten (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.

d) 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 periods; 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.

e) Payment or collection of costs.

If the cost of these actions, together with the cost of notification, has not been paid within ten (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.

f) Collected cost 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.

g) Public record maintained.

The treasure 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.

h) repeated or continuing failure to maintain property.

- 1) If a landowner has been notified pursuant to subsection © at any time in the preceding six (6) months, and has failed to do the required work thereafter, the street superintendent, upon complying with the conditions set forth in subsection (2) (2), may undertake the cutting, destroying or removal of weeds, grass, and other growths on a monthly basis without further notification under subsection (c). Any actual cost incurred in such monthly cutting, destroying, or removing of weeds, grass or other growths shall be collected according to the procedures set forth in subsection (d) through (g) above.
- 2) Prior to undertaking a procedure on monthly cutting, destroying or removing weeds, grass or other growths from property under subsection (h) (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:
 - a. Be signed by the mayor.
 - b. Contain a description of the property sufficient to reasonably identify same;
 - c. Be accompanied by a photograph sufficient to reasonable 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.
 - d. State that the responsible property owner has within the past six (6) months failed to do such work after notification and opportunity to do so pursuant to subsection (c).

ARTICLE II LITTER

9-2 Garbage collections and disposal charges-Levied.

The garbage collection and disposal charge levied upon the owners and lessees of all occupied residences, commercial and other establishments in the town shall be set from time to time by the mayor and selectmen and such charges are on file in the town clerk's office.

9-3 Same –Billing and collection.

- a) The garbage collection and disposal charge shall be incorporated in the monthly bills issued by the town, and shall be paid at the town hall. The payment of same shall be governed by all rules, regulation and ordinance pertaining to the payment of accounts for the use of water and sewerage services
- b) The sanitation charges shall be shown on and added to the water bills where the user of the sanitation service is also a purchaser of water in the town, and failure of the customer to pay the amount thereof shall be cause for the discontinuance of both garbage and water services.

9-4 Definitions.

As used in this article, the following terms shall have the respective meaning ascribed to them:

Aircraft: Any contrivance now known or hereafter invented, used or designed for navigation or for flight in the air. The word "aircraft" shall include helicopters and lighter-than-air dirigibles and balloons.

Authorized private receptacle: A litter storage and collection container constructed as to reasonably confine and litter and trash.

Commercial handbill: Any printed or written matter, any sample or device, dodger, circular, leaflet, pamphlet, paper, booklet, or any other printed or otherwise reproduced original copies of any matter of literature:

- 1) Which advertises for sale any merchandise, commodity or thing;
- 2) Which directs attention to any business or mercantile or commercial establishment, or other activity, for the purpose of either directly or indirectly, promoting the interest thereof by sales:
- 3) Which directs attention to or advertises any meeting, theatrical performance, exhibition or event of any kind, for which an admission fee is charged for the purpose of private gain or profit, but the terms of this clause shall not apply where an admission fee is charged or a collection is taken up for the purpose of defraying the expenses incident to such meeting, theatrical performance, exhibition, or event of any kind when either of the same is held, given or takes place in connection with the dissemination of information which is not restricted under the ordinary rules of decency, good morals, public peace, safety and good order; provided nothing contained in this clause shall be deemed to authorize the holding, giving or taking place at any meeting, theatrical performance, exhibition or event of any kind without a license, where such license is or may be required by any law of this state, or under any ordinance of this city; or
- 4) Which, while containing reading matter other than advertising matter, is predominantly and essentially an advertisement, and is distributed or circulated for advertising purpose, or for the private benefit and gain of any person so engaged as advertiser or distributor.

Garbage: Animal and vegetable wastes resulting from the handling, preparation, cooking and consumption of food.

Litter: Garbage, refuse, trash, and rubbish, as defined herein, and all other waste material which, if thrown or deposited as herein prohibited, tends to create a danger to public health, safety and welfare.

Newspaper: Any newspaper of general circulation as defined by general law, any newspaper duly entered with the United States Postal Service, in accordance with federal statute or regulation, and any newspaper filed and recorded with any recording officer as provided by general law; and, in addition thereto, shall mean and include any periodical or current magazine regularly published with not less than four (4) issues per year, and sold to the public.

Noncommercial handbill: any printed or written matter, or sample or device, dodger, circular, leaflet, pamphlet, newspaper, magazine, paper, booklet or any other printed or otherwise reproduced or original or copies of any matter of literature not included in the aforesaid definitions of commercial handbill or newspaper.

Park: A park, reservation, playground, recreation center, or any other public area in the city, owned or used by the city and its inhabitants and devoted to active or passive recreation.

Private premises: Any dwelling, house, building or other structure designated or used wholly

or in part for private residential purposes, whether inhabited or temporarily or continuously uninhabited or vacant, and shall include any yard, grounds, walk, driveway, porch, steps, vestibule or mailbox belonging or appurtenant to such dwelling, house, building or other structure.

Public place: Any street, sidewalk, boulevard, alley or other public way and any public park, square, space, grounds or building.

Refuse: All solid waste (except body waste) including garbage, rubbish, ashes, street cleanings, dead animals, abandoned motor vehicles and solid market industrial wastes.

Rubbish: Nonputrescible solid wastes consisting of both combustible and noncombustible wastes, such as paper, wrappings, cigarettes, cardboard, tin cans, yard clippings, leaves, wood, glass, bedding, crockery, plastic and similar materials.

Vehicle: Any device in, upon or by which any person or property is or may be transported or drawn upon a highway, including devices used exclusively upon stationary rails or tracts.

Sec 9-5 Placing in receptacles.

a) **Required:** No persons shall throw or deposit litter in or upon any street, sidewalk or other public place within the city except in public receptacles or in authorized receptacles for collection.

b) **So as to prevent scattering:** Persons placing litter in public receptacles or in authorized private receptacles shall do so in such a manner as to prevent it from being carried or deposited by the elements upon any street, sidewalk or other public place or upon private property.

Sec. 9-6 Sweeping litter into gutter; cleanliness sidewalk.

No person shall sweep into or deposit in any gutter, street or other public place within the city the accumulation of litter from any building or lot or from any private or public sidewalk or driveway. Persons owning or occupying property shall keep the sidewalk in front of their premises free of litter.

Sec 9-7 Merchants' duty to keep sidewalks free of litter.

No person owning or occupying a place of business shall sweep into or deposit in any gutter, street or other public place within the city, the accumulation of litter from any owning or occupying places of business within the city shall keep all premises, including sidewalks, service alleys, and parking areas of their business, free of litter.

Sec 9-8 Litter thrown from vehicles.

No person, while a driver or passenger in a vehicle, shall throw or deposit litter upon any street or other public place within the city, or upon private property.

Sec 9-9 Truck loads causing litter; tracking mud.

a) No person shall drive or move any truck or other vehicle within the city unless such vehicle is so constructed or loaded as to prevent any load, contents or litter from being blown or deposited upon any street, alley or other public place.

b) No person shall drive or move any vehicle or truck within the city, the wheels or tires of which carry onto or deposit in any street, alley or other public place, mud, dirt, sticky substances, litter or foreign matter of any kind.

Sec 9-10 Litter from aircraft.

No person in an aircraft shall throw out, drop or deposit within the city any litter, handbill or any other object without obtaining a permit from the city.

Sec 9-11 Litter in parks.

No person shall throw or deposit litter in any park within the city except in public receptacles and in such a manner that the litter will be prevented from being carried or deposited by the elements upon any part of the park or upon any street or other public place. Where public receptacles are not provided, all such litter shall be carried away from the park by the person responsible for its presence and properly disposed of elsewhere as provided herein.

Sec 9-12 Bodies of water.

No person shall throw or deposit litter in any fountain, pond, stream, ditch, canal or any other body of water in an park or elsewhere within the city.

Sec 9-13 Litter on occupied private property.

No person shall throw or deposit litter on any occupied or unoccupied private property within the city whether owned by such person or not, except that the owner or person in control of private property may maintain authorized private receptacles for collection in such a manner that litter will be prevented from being carried or deposited by the elements upon any street, sidewalk, or other public place or upon any private property.

Sec 9-14 Owner to maintain premises free of litter.

The owner or person in control of any private property shall at all times maintain the premises free of litter. However, this section shall not prohibit the storage of litter in authorized private receptacles for collection.

Sec 9-15 Litter on vacant lots.

No person shall throw or deposit litter on any open or vacant private property within the city, whether or not owned by such person.

Sec 9-16 Handbills—Throwing or distributing in public places.

No person shall throw or deposit any commercial or noncommercial handbill in or upon any sidewalk, street or other public place within the city; nor shall any person hand out or distribute or sell any commercial handbill in any public place.

Sec 9-17 Same—Throwing on vacant private premises.

No person shall throw or deposit any commercial or noncommercial handbill in or upon any private premises

Sec 9-18 Same—Distributing on private premises.

No person shall throw or deposit any commercial or noncommercial handbill in or upon any private premises.

Sec 9-19 Same—distributing at inhabited private premises.

No person shall throw, deposit, or distribute any commercial or noncommercial handbill in or upon private premises which are inhabited, except by handing or transmitting any such handbill directly to the owner, occupant or other person then present in or upon such private premises; provided, however, unless requested by anyone upon such inhabited private premises not to do so, such person may place or deposit any such handbill in or upon such inhabited private premises if such hand is so placed or deposited as to secure or prevent such handbill from being blown or drifted about such premises or sidewalk, street or other public places, and except that mailboxes may not be so used when so prohibited by federal postal law or regulations. The provisions of this section shall to apply to the distribution of mail by the United States, not to newspapers placed on private property in such a manner as to

prevent their being carried or deposited by the elements upon any street, sidewalk or other public place or upon private property.

Sec 9-20 Same—Political; handing handbills to drivers.

No provisions of this article notwithstanding, political handbills or printed matter may be handed out or distributed in public places to individuals who are willing accept same; provided, however, no handbills of a commercial, political or noncommercial nature may be handed out or distributed to any occupant of a vehicle upon the public streets, whether such vehicle is moving or stopped. Nothing herein contained, shall be construed in any way to deprive any bona fide organization or its members enjoying and exercising any rights or privileges which they have or may hereafter have, under the provisions of the laws of the state or the laws or constitution of the United States.

Sec 9-21 Sentence to pick up refuse.

Any person violating any provision of this article may be penalized as provided in section 1-11 of the Code of Ordinances or, in lieu of the fine or imprisonment for violation thereof, the court may sentence the violator to pick up trash or debris along the city streets or alleys or upon publicly owned property in the city for such times as designated by the court and the same shall be performed under the supervision of persons employed by the city.

ARTICLE III. JUNK

Sec 9-22 Definitions

As used in this article, the following terms shall have the respective meaning ascribed to them:

Junk: Any wrecked, dismantled, inoperative, abandoned or discarded appliance, furniture, machinery or tools of any nature, including but not limited to, refrigerators, air conditioners, kitchen stoves and junked vehicles.

Junked Vehicle: Any motor vehicle which does not have lawfully affixed thereto both an unexpired license plate or plates and a valid motor vehicle safety inspection certificate and the condition of which one (1) or more of the following:

- (1) Wrecked
- (2) Dismantled
- (3) Partially dismantled
- (4) Inoperative
- (5) Abandoned
- (6) Discarded

Exceptions: This definition shall not include: Any motor vehicle in operable condition specifically adapted or constructed for racing or operation on privately own drag strips or raceways, any motor vehicle stored as the property of a member of the armed forces of the United States who is on active duty assignment.

Owner: Any person legally vested with the title and ownership of any immovable property situated within the city.

Vehicle: Any vehicle which was originally operable on two (2) or more wheels and which was originally capable of transporting one (1) or more persons.

Sec 9-23 Junk and Junked vehicles prohibited; exception.

No person owning, leasing, occupying or having charge of premises, shall keep, deposit, maintain or allow to be kept maintained or deposit or allow to remain, any junk or junked vehicles on property situated in the city; and the presence of such or junked vehicles are hereby declared to be a public nuisance; provided however, that such may kept, deposited, maintained or allowed or premises or parcel of land licensed and used as a junkyard as defined hereinafter.

Sec 9-24 Deposit of junk or junked vehicles on private or public premises.

No person shall place, cause to be placed, deposit, leave or dump any junk or junked vehicles on any premises in the city, whether public or private premises, without the consent of the owner or tenant in possession thereof.

Sec 9-25 Notice to remove junk or junked vehicles.

The chief of police or the chief's designated representative shall give to the owner of property as determined from the latest assessment rolls, a written notice requiring such person to remove, or cause to be removed, any junk or junked vehicle, which notice shall be posted by registered or certified mail. Such notice shall require the removal to be completed within fifteen (15) days from the date of the letter.

Sec 9-26 Junkyard entrances and exits; wall or fence.

a) Any premises, are or piece or parcel of land licensed and used as a junkyard, shall have not more than two (2) entrances and two (2) exits, each of which shall not exceed fifteen (15) feet in width at the perimeter of the premises.

b) Such premises shall be enclosed with a solid nontransparent wall or fence with a minimum height of seven (7) feet from the ground level, excepting for entrances and exits.

Sec 9-27 Judicial determination of violation.

If the owner or occupant of premises so desires, such owner or occupant may, within such ten-day periods after service of notice to abate the nuisance, request of the city clerk, either in person or in writing and without the requirement of bond, that a date and time be set when such owner or occupant may appear before the city court for a trial to determine whether such owner or occupant is in violation of this article, and whether or not the location and continued existence of the junk or junked vehicle on such person's property constitutes a public nuisance.

Sec 9-28 Penalty.

If there has been no compliance by such property owner or occupant with the requirements of this article within 15 days of a judgment of the court, determining that such person is in violation, the owner or occupant shall be guilty of a misdemeanor or a conviction thereof shall be punished as provided in section 1-11.

Sec 9-29 Unsanitary premises generally.

a) The owner or tenant of any property or premises in the city, who shall permit the accumulation of garbage, litter, rubbish, refuse, junk, filthy or offensive matter thereon, shall be deemed guilty of maintaining a nuisance.

b) When such a condition exists in the city, the owner, and/or tenant shall be notified by certified mail advising him of the condition of the premises and giving him ten (10) days within which to remove the accumulation of garbage, litter, rubbish, junk, filthy or offense matter.

c) If the owner, or tenant fails to comply with the notice within ten (10) days, the city through the office of the city attorney shall be authorized to file a civil action in the District

ordering the owner, and/or tenant to appear and show cause, if and he can, why he should not be ordered to remove the accumulation of garbage, litter, rubbish, refuse, junk, filthy or offensive matter from the premises.

d) In the event the court orders the owner, and/or tenant to remove the garbage, litter, rubbish, refuse, junk, filthy or offensive matter from the premises and the owner and/or tenant fails to comply with the orders of the court, upon application of the city, the court shall find the owner and/or tenant in contempt of court and in addition to any other penalties prescribed by the court shall grant to the city a judgment sufficient to defray the actual costs to the city for the removal of the accumulated garbage, litter, rubbish, refuse, junk, filthy or offensive matter.

information pertaining to his present address or telephone number, or who may be able to help me contact him, please contact Daniel W. Newell at (318) 927-2517.

(January 6, 2005)

ADVERTISEMENT FOR BIDS

Claiborne Parish Fire District #6 is accepting BIDS for the purchase of three used fire trucks: 1) 1962 Maxim pumper 2) 1965 Sanford pumper 3) 1971 Mack pumper Each truck will be sold "AS IS." Claiborne Parish Fire District #6 will receive sealed bids for any one, any two, or all three vehicles until 6:30 PM on Monday, January 10, 2005, when the bids will be opened at the Lisbon Fire Station, 115 Hebron Road, Lisbon LA. Bids may be delivered to the bid opening on January 10, or mailed to "TRUCK BIDS: CFPD #6, PO Box 199, Lisbon LA 71048" in order to arrive in the Lisbon post office on or before January 8, 2005. For more information contact Rusty Gilbert at 318-245-1160 or at 318-353-6503. Claiborne Parish Fire District #6 reserves the right to reject any and all bids.

(Dec. 16, 23, 2004 and Jan. 6, 2005)

CLAIBORNE PARISH SCHOOL BOARD

P.O. BOX 600
415 EAST MAIN STREET
HOMER, LOUISIANA 71040-0600
Notice of Surplus Sale
Claiborne Parish School Board will have a public auction Friday, January 21st, 2005 at 10:00 AM to sell four T buildings located at Homer Elementary School.

James Scriber
Superintendent
Claiborne Parish Schools
(Dec. 16, 23, 2004 and Jan. 6, 2005)

CLAIBORNE PARISH SCHOOL BOARD

P.O. BOX 600
415 EAST MAIN STREET
HOMER, LOUISIANA 71040-0600
Sealed bids will be received in the office of the Superintendent, Claiborne Parish School Board, 415 East Main Street, P.O. Box 600, Homer, Louisiana 71040, until 2:00 P.M. on Tuesday, January 25th, 2005. At this time, bids will be publicly opened and read aloud for a surveillance system for Haynesville Jr., Sr. High School. Specifications may be obtained from:

Claiborne Parish School Board
P.O. Box 600
Homer, Louisiana 71040
The Claiborne Parish School Board reserves the right to reject any and all bids.

James Scriber
Superintendent
Claiborne Parish Schools
(Dec. 16, 23, 2004 and Jan. 6, 2005)

TOWN OF HOMER Chapter 9

(2) 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 ten (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.

(d) *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.

(e) *Payment or collection of costs.*

If the cost of these actions, together with the cost of notification, has not been paid within ten (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.

(f) *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.

(g) *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.

(h) *Repeated or continuing failure to maintain property.*

(1) If a landowner has been notified pursuant to subsection (c) at any time in the preceding six (6) months, and has failed to do the required work thereafter, the street superintendent, upon complying with the conditions set forth in subsection (c)(2), may undertake the cutting, destroying or removal of weeds,

ed in the monthly bills issued by the town, and shall be paid at the town hall. The payment of same shall be governed by all rules, regulations and ordinances pertaining to the payment of accounts for the use of water and sewerage services.

(b) The sanitation charges shall be shown on and added to the water bills where the user of the sanitation service is also a purchaser of water in the town, and failure of the customer to pay the amount thereof shall be cause for the discontinuance of both garbage and water services. (Code 1964, § 9-10; Ord. No. 649, 7-21-77)

Sec. 9-4. *Definitions.*
As used in this article, the following terms shall have the respective meanings ascribed to them:

Aircraft: Any contrivance now known or hereafter invented, used or designed for navigation or for flight in the air. The word "aircraft" shall include helicopters and lighter-than-air dirigibles and balloons.

Authorized private receptacle: A litter storage and collection container constructed so to reasonably confine and retain litter and trash.

Commercial handbill: Any printed or written matter, any sample or device, dodger, circular, leaflet, pamphlet, paper, booklet, or any other printed or otherwise reproduced original copies of any matter of literature:

(1) Which advertises for sale any merchandise, commodity or thing;

(2) Which directs attention to any business or mercantile or commercial establishment, or other activity, for the purpose of either directly or indirectly, promoting the interest thereof by sales;

(3) Which directs attention to or advertises any meeting, theatrical performance, exhibition or event of any kind, for which an admission fee is charged for the purpose of private gain or profit, but the terms of this clause shall not apply where an admission fee is charged or a collection is taken up for the purpose of defraying the expenses incident to such meeting, theatrical performance, exhibition, or event of any kind, when either of the same is held, given or takes place in connection with the dissemination of information which is not restricted under the ordinary rules of decency, good morals, public peace, safety and good order; provided nothing contained in this clause shall be deemed to authorize the holding, giving or taking place at any meeting, theatrical performance, exhibition or event of any kind without a license, where such license is or may be required by any law of this state, or under any ordinance of this city; or

(4) Which, while containing reading matter other than advertising matter, is predominantly and essentially an advertisement, and is distributed or circulated for advertising purpose, or for the private benefit

of the advertiser.

(b) So as to prevent scattering: Persons placing litter in public receptacles or in authorized private receptacles shall do so in such a manner as to prevent it from being carried or deposited by the elements upon any street, sidewalk or other public place or upon private property.

Sec. 9-6. *Sweeping litter into gutters; cleanliness of sidewalk.*

No person shall sweep into or deposit in any gutter, street or other public place within the city the accumulation of litter from any building or lot or from any private or public sidewalk or driveway. Persons owning or occupying property shall keep the sidewalk in front of their premises free of litter.

Sec. 9-7. *Merchants' duty to keep sidewalks free of litter.*

No person owning or occupying a place of business shall sweep into or deposit in any gutter, street or other public place within the city, the accumulation of litter from any building or lot or from any public place or private or public sidewalk or driveway. Persons owning or occupying places of business within the city shall keep all premises, including sidewalks, service alleys, and parking areas of their business, free of litter.

Sec. 9-8. *Litter thrown from vehicles.*

No person, while a driver or passenger in a vehicle, shall throw or deposit litter upon any street or other public place within the city, or upon private property.

Sec. 9-9. *Truck loads causing litter; tracking mud.*

(a) No person shall drive or move any truck or other vehicle within the city unless such vehicle is so constructed or loaded as to prevent any load contents or litter from

building or other structure.

Public place: Any street, sidewalk, boulevard, alley or other public way and any public park, square, space, grounds or building.

Refuse: All solid waste (except body waste) including garbage, rubbish, ashes, street cleanings, dead animals, abandoned motor vehicles and solid market industrial wastes.

Rubbish: Nonputrescible solid wastes consisting of both combustible and noncombustible wastes, such as paper, wrappings, cigarettes, cardboard, tin cans, yard clippings, leaves, wood, glass, bedding, crockery, plastic and similar materials.

Vehicle: Any device in, upon or by which any person or property is or may be transported or drawn upon a highway, including devices used exclusively upon stationary rails or tracks.

Sec. 9-14. *Owner to maintain premises free of litter.*

The owner or person in control of any private property shall at all times maintain the premises free of litter. However, this section shall not prohibit the storage of litter in authorized private receptacles for collection.

Sec. 9-15. *Litter on vacant lots.*

No person shall throw or deposit litter on any open or vacant private property within the city, whether or not owned by such person.

Sec. 9-16. *Handbills - Throwing or distributing in public places.*

No person shall throw or deposit any commercial or noncommercial handbill in or upon any sidewalk, street or other public place within the city; nor shall any person hand out or distribute or sell any commercial handbill in any public place.

Sec. 9-17. *Same-Throwing on vacant private premises.*

No person shall throw or deposit any commercial or noncommercial handbill in or upon any private premises which are temporarily or continuously uninhabited or vacant.

Sec. 9-18. *Same-Distributing on private premises.*

No person shall throw, deposit or distribute any commercial or non-commercial handbill upon any private premises.

Sec. 9-19. *Same-Distributing at inhabited private premises.*

No person shall throw, deposit, or distribute any commercial or non-commercial handbill in or upon private premises which are inhabited, except by handing or transmitting any such handbill directly to the owner, occupant or other person then present in or upon such private premises; provided, however, unless requested by anyone upon such inhabited private premises not to do so, such person may place or deposit any such handbill in or upon such inhabited private premises if such handbill is so placed or deposited as to secure or prevent such handbill from being blown or drifted about such premises or sidewalks, streets or other public places, and except that mailboxes may not be so used when so prohibited by federal postal law or regulations. The provisions of this section shall not apply to the distribution of mail by the United States, nor to newspapers placed on private property in such a manner as to prevent their being carried or deposited by the elements upon any street, sidewalk or other public place or upon private property.

Sec. 9-14. *Owner to maintain premises free of litter.*

The owner or person in control of any private property shall at all times maintain the premises free of litter. However, this section shall not prohibit the storage of litter in authorized private receptacles for collection.

Sec. 9-15. *Litter on vacant lots.*

No person shall throw or deposit litter on any open or vacant private property within the city, whether or not owned by such person.

Sec. 9-16. *Handbills - Throwing or distributing in public places.*

No person shall throw or deposit any commercial or noncommercial handbill in or upon any sidewalk, street or other public place within the city; nor shall any person hand out or distribute or sell any commercial handbill in any public place.

Sec. 9-17. *Same-Throwing on vacant private premises.*

No person shall throw or deposit any commercial or noncommercial handbill in or upon any private premises which are temporarily or continuously uninhabited or vacant.

Sec. 9-18. *Same-Distributing on private premises.*

No person shall throw, deposit or distribute any commercial or non-commercial handbill upon any private premises.

Sec. 9-19. *Same-Distributing at inhabited private premises.*

No person shall throw, deposit, or distribute any commercial or non-commercial handbill in or upon private premises which are inhabited, except by handing or transmitting any such handbill directly to the owner, occupant or other person then present in or upon such private premises; provided, however, unless requested by anyone upon such inhabited private premises not to do so, such person may place or deposit any such handbill in or upon such inhabited private premises if such handbill is so placed or deposited as to secure or prevent such handbill from being blown or drifted about such premises or sidewalks, streets or other public places, and except that mailboxes may not be so used when so prohibited by federal postal law or regulations. The provisions of this section shall not apply to the distribution of mail by the United States, nor to newspapers placed on private property in such a manner as to prevent their being carried or deposited by the elements upon any street, sidewalk or other public place or upon private property.

Sec. 9-20. *Same-Political; handing handbills to drivers.*

The provisions of this article notwithstanding, political handbills or printed matter may be handed out or distributed in public places to individuals who are entitled to

of a commercial, political or noncommercial nature may be handed out or distributed to any occupant of a vehicle upon the public streets, whether such vehicle is moving or stopped. Nothing herein contained, shall be construed in any way to deprive any bona fide organization or its members of enjoying and exercising any rights or privileges which they have or may hereafter have, under the provisions of the laws of the state or the laws or constitution of the United States.

Sec. 9-21. *Sentence to pick up refuse.*

Any person violating any provision of this article may be penalized as provided in section 1-8 of the Code of Ordinances or, in lieu of the fine or imprisonment for violation thereof, the court may sentence the violator to pick up trash or debris along the city streets or alleys or upon publicly owned property in the city for such time as designated by the court and the same shall be performed under the supervision of persons employed by the city.

ARTICLE III. JUNK*

Sec. 9-22. *Definitions.*

As used in this article, the following terms shall have the respective meanings ascribed to them:

Junk: Any wrecked, dismantled, inoperative, abandoned or discarded appliance, furniture, machinery or tools of any nature, including but not limited to, refrigerators, air conditioners, kitchen stoves and junked vehicles.

Junked vehicle: Any motor vehicle which does not have lawfully affixed thereto both an unexpired license plate or plates and a valid motor vehicle safety inspection certificate and the condition of which is one (1) or more of the following:

- (1) Wrecked,
- (2) Dismantled,
- (3) Partially dismantled,
- (4) Inoperative,
- (5) Abandoned,
- (6) Discarded.

Exceptions: This definition shall not include: Any motor vehicle in operable condition specifically adapted or constructed for racing or operation on privately owned drag strips or raceways; any motor vehicle stored as the property of a member of the armed forces of the United States who is on active duty assignment.

Owner: Any person legally vested with the title and ownership of any immovable property situated within the city.

Vehicle: Any vehicle which was originally operable on two (2) or more wheels and which was originally capable of transporting one (1) or more persons.

Sec. 9-23. *Junk and junked vehicles prohibited; exception.*

No person owning, leasing, occupying or having charge of premises, shall keep, deposit, maintain or allow to be kept maintained or deposit or allow to remain, any

of such junk or junked vehicles are hereby declared to be a public nuisance; provided however, that such may be kept, deposited, maintained or allowed on premises or parcels of land licensed and used as a junkyard as defined hereinafter.

Sec. 9-24. *Deposit of junk or junked vehicles on private or public premises.*

No person shall place, cause to be placed, deposit, leave or dump any junk or junked vehicles on any premises in the city, whether public or private premises, without the consent of the owner or tenant in possession thereof.

Sec. 9-25. *Notice to remove junk or junked vehicles.*

The chief of police or the chief a designated representative shall give to the owner of property as determined from the latest assessment rolls, a written notice requiring such person to remove, or cause to be removed, any junk or junked vehicle, which notice shall be posted by registered or certified mail. Such notice shall require the removal to be completed within fifteen (15) days from the date of the letter.

State law reference-Abatement of nuisances, R.S. 19:4711 et seq.

Sec. 9-26. *Junkyard entrances and exits; wall or fence.*

(a) Any premises, area or piece or parcel of land licensed and used as a junkyard, shall have not more than two (2) entrances and two (2) exits, each of which shall not exceed fifteen (15) feet in width at the perimeter of the premises.

(b) Such premises shall be enclosed with a solid nontransparent wall or fence with a minimum height of seven (7) feet from the ground level, excepting for entrances and exits. (Ord. No. 2792, Part D, § 3, 1-13-76; Ord. No. 2897, 7-11-78)

Sec. 9-27. *Judicial determination of violation.*

If the owner or occupant of premises so desires, such owner or occupant may, within such ten-day period after service of notice to abate the nuisance, request of the city clerk, either in person or in writing and without the requirement of bond, that a date and time be set when such owner or occupant may appear before the city court for a trial to determine whether such owner or occupant may appear before the city court for a trial to determine whether such owner or occupant is in violation of this article, and whether or not the location and continued existence of the junk or junked vehicle on such person's property constitutes a public nuisance.

Sec. 9-28. *Penalty.*

If there has been no compliance by such property owner or occupant with the requirements of this article within fifteen (15) days of a judgment of the court, determining that such person is in violation, the owner or occupant shall be guilty of a misdemeanor and on conviction

Sec. 9-29. *Unsanitary premises generally.*

(a) The owner or tenant of any property or premises in the city, who shall permit the accumulation of garbage, litter, rubbish, refuse, junk, filthy or offensive matter thereon, shall be deemed guilty of maintaining a nuisance.

(b) When such a condition exists in the city, the owner, and/or tenant shall be notified by certified mail advising him of the condition of the premises and giving him ten (10) days within which to remove the accumulation of garbage, litter, rubbish, refuse, junk, filthy or offensive matter.

(c) If the owner, or tenant fails to comply with the notice within ten (10) days, the city through the office of the city attorney shall be authorized to file a civil action in the District Court ordering the owner, and/or tenant to appear and show cause, if any he can, why he should not be ordered to remove the accumulation of garbage, litter, rubbish, refuse, junk, filthy or offensive matter from the premises.

(d) In the event the court orders the owner, and/or tenant to remove the garbage, litter, rubbish, refuse, junk, filthy or offensive matter from the premises and the owner and/or tenant fails to comply with the orders of the court, upon application of the city, the court shall find the owner and/or tenant in contempt of court and in addition to any other penalties prescribed by the court shall grant to the city a judgment sufficient to defray the actual costs to the city for the removal of the accumulated garbage, litter, rubbish, refuse, junk, filthy or offensive matter.

(e) If the owner, or tenant fails to comply with the orders of the court, upon application of the city, the court shall find the owner and/or tenant in contempt of court and in addition to any other penalties prescribed by the court shall grant to the city a judgment sufficient to defray the actual costs to the city for the removal of the accumulated garbage, litter, rubbish, refuse, junk, filthy or offensive matter.

(January 6, 2005)

CLAIBORNE PARISH SCHOOL BOARD

P.O. BOX 600
415 EAST MAIN STREET
HOMER, LOUISIANA 71040-0600

NOTICE TO BIDDERS

Separate sealed bids will be received at the Claiborne Parish School Board Office, 415 East Main Street, Homer, Louisiana 71040, until 4 P.M., Monday, January 31, 2005 for the purchase of two houses to be moved: House #1 at 612 Bonner Street, Homer, Louisiana, House #2 at 614 Bonner Street, Homer, Louisiana. Bids will be opened and read aloud at ten (10:00) o'clock A.M., Tuesday, February 1, 2005. Winning bidders are responsible for having houses: house #1 moved no later than April 1, 2005; house #2 moved no later than March 1, 2005. Direct any questions to Superintendent James E. Scriber, Claiborne Parish School Board, 318-927-3502.

The board reserves the right to accept or reject any or all bids. /s/ James E. Scriber Superintendent of Schools Claiborne Parish School Board
(Dec. 2, 9, 2004 & Jan. 6, 13, 20, 2005)

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 purpose of determining when the cutting, destroying, or removing of noxious weeds, grass, vines, brush or other deleterious or unhealthy growths or accumulations may be necessary.

(c) Notice to owners.

(1) 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

c. 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; d. State that the responsible property owner has within the past six (6) months failed to do such work after notification and opportunity to do so pursuant to subsection (c).

Article II. LITTER
Sec. 9-2. Garbage collection and disposal charges-Levied.

The garbage collection and disposal charge levied upon the owners or lessees of all occupied residences, commercial and other establishments in the town shall be set from time to time by the mayor and selectmen and such charges are on file in the town clerk's office. (Code 1964, § 9-9; Ord. No. 649, 7-21-77)

Sec. 9-3. Same—Billing and collection.

published with not less than four (4) issues per year, and sold to the public.

Noncommercial handbill: Any printed or written matter, or sample or device, dodger, circular, leaflet, pamphlet, newspaper, magazine, paper, booklet or any other printed or otherwise reproduced or original or copies of any matter of literature not included in the aforesaid definitions of commercial handbill or newspaper.

Park: A park, reservation, playground, recreation center, or any other public area in the city, owned or used by the city and its inhabitants and devoted to active or passive recreation.

Private premises: Any dwelling, house, building or other structure designated or used wholly or in part for private residential purposes, whether inhabited or temporarily or continuously uninhabited or vacant, and shall include any yard, grounds, walk, driveway, porch, steps,

part of the park or upon any street or other public place. Where public receptacles are not provided, all such litter shall be carried away from the park by the person responsible for its presence and properly disposed of elsewhere as provided herein.

Sec. 9-12. Bodies of water.
No person shall throw or deposit litter in any fountain, pond, stream, ditch, canal or any other body of water in a park or elsewhere within the city.

Sec. 9-13. Litter on occupied private property.

No person shall throw or deposit litter on any occupied or unoccupied private property within the city whether owned by such person or not, except that the owner or person in control of private property may maintain authorized private receptacles for collection in such a manner that litter will be prevented from being carried or deposited by the elements upon any street, side-

tub. Immaculate condition. Must see to appreciate. Call 927-6781 after 5 PM or 927-9416 before 5 PM. 50-4tp

-FOR RENT-

COTTAGE FOR RENT:
\$400 per month. Some appliances - partially furnished. Located 5 miles east of Homer on St. John Ranch. 318-927-4484. 1-2tp

-AUTOMOBILES-

FOR SALE: '93 F-150 PU.
\$2,500. Call 353-6405. 1-3tc

FOR SALE: '96 Dodge 3/4
ton Cummins diesel extended cab; towing package; 131K mi; extra clean; \$9,000. 353-2230 after 5 PM. 49-4tp

FOR SALE: 2003 GMC Sierra
1500 longbed pickup; V-8; one owner; less than 3000 mi. Loaded. Call 927-2968 or 927-2930. 49-tfc

-SERVICES-

ALTERATIONS: Fast, reasonable. Pickup and delivery available. Call 927-9833. 51-2tp

IF YOU LIKE TO DRINK
That's your business. If you would like to STOP, that's OUR BUSINESS. Meetings on Tuesday at 8:00 P.M. at 104 Morris Circle in the Willis-Knighton Conference Room. Placed by AA. -0-

PALMER'S GUNS & AMMO sales and service. We buy old guns for parts. 927-3685. Summerfield, LA. 5-tfc

40-tfc

NEW AA MEETING: Friends of Bill W. Thursday nights at 7 PM beginning 9-23. Held at Willis-Knighton Clinic conference room (enter front door and go to left). This is an open discussion meeting. *The only requirement for AA membership is a desire to stop drinking.* Other 12-step programs welcome. -0-

-MISCELLANEOUS-

HORSE TRAILER FOR SALE: 1993 Calico horse trailer. 3-horse slant load with AC and sleeping quarters. Anita East 927-1397 or 624-0477. \$6,000 - negotiable. 50-4tp

-JOB OPPORTUNITIES-

LOCAL FABRICATION FACILITY: Need experienced fitters in structural steel and conveyors with the ability to read blueprints. Pay based on experience. Call 318-843-6061 or fax resume to 318-843-6223. 50-4tc

LPN NEEDED: Presbyterian Village needs LPN for 3 to 11 shift. Call Ava McWhorter at 27-6133. 11-tfc

-FARMING-

FOR SALE: Health reasons. 30 hp Ford diesel 1900 series tractor w/canopy and new 4 ft. bushhog. Used 1380 hrs. Good condition. Used only 12 hrs. Can be seen at 455 Hodges Plant Rd. in Marsalis Community. \$6,250. Call 318-258-4493; or 318-640-5675 for more information. 45-tfc

Claiborne Parish Arrests

December 20, 2004 - January 2, 2005

Susan Marie Guccione, 58, of Gretna, LA was arrested December 20 by the Claiborne Parish Sheriff's Office and David Wade Correctional Center for assisting escape. Bond was set at \$1,000.

Carl L. Willis, 24, of Homer, LA was arrested December 20 by the Claiborne Parish Sheriff's Office for possession of schedule II w/intent to distribute. Bond was set at \$30,000.

Anjanette Nichelle Bailey, 30, of Homer, LA was arrested December 20 by the Claiborne Parish Sheriff's Office for possession of schedule II CDS. Bond was set at \$30,000.

Kevin Dewayne Gilbert, 27,* of Bernice, LA was arrested December 21 by the Claiborne Parish Sheriff's Office for failure to appear. Bond was set at \$1,000.

Sean Allen Cole, 23, of Haynesville, LA was arrested December 23 by the Haynesville Police Department for remaining after forbidden and disturbing the peace. Bond was set at \$1,000.

Trey T. Thompson, 25 of Homer, LA was arrested December 23 by the Haynesville Police Department for resisting arrest, remaining after forbidden and disturbing the peace. Bond was set at \$1,000.

Robert C. Bridges, 41, of Haynesville, LA was arrested December 23 by the Claiborne Parish Sheriff's Office for possession of marijuana, possession of schedule II. Bond was set at \$5,500.

Michael Wayne Carter, 24, of Homer, LA was arrested December 26 by the Homer Police Department for entry and remaining after forbidden. Bond was set at \$500.

John Phillip Hankins, 37, of Homer was arrested December 27 by the Claiborne Parish Sheriff's Office for disturbing the peace. Bond was set at \$500.

Richard N. Guillotte, 34, of Homer, LA was arrested December 29 by the Homer Police Department for panhandling, remaining after being forbidden, disturbing the peace. Bond was set at \$1,500.

Kenneth J. Hensley, 34, of Homer, LA was arrested December 29 by the Claiborne Parish Sheriff's Office for simple battery. Bond was set at \$1,000.

Felicha Lashone Williams, 21, of Homer, LA was arrested December 30 by the Homer Police

Bond is to be set. No bond was set for probation/parole hold.

Christopher R. Johnson, 27 of El Dorado, AR was arrested December 31 by the Claiborne Parish Sheriff's Office for issuing worthless checks. Bond was set at \$500.

Ruben Donell, Jr., 58, of Homer, LA was arrested December 31 by the Homer Police Department. Bond was set at \$1,750.

Joseph M. Nash, 20, of Minden, LA was arrested January 1 by the Claiborne Parish Sheriff's Office for DWI and careless operation.. Bond was set at \$1,500.

Jarvis D. Robinson, 24, of Haynesville, LA was arrested January 1 by the Haynesville Police Department for simple battery and careless operation.. Bond was set at \$1,000. Bond is to be set for resisting an officer, intimidation of police officer, resisting during booking.

Marc L. Anderson, 26, of Minden, LA was arrested January 1 by the Claiborne Parish Sheriff's Office for DWI 4th offense and speeding. Bond was set at \$10,500.

Willie C. Davis, 42 of Bernice, LA was arrested January 1 by the

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44-tfc

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One year psych experience required
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Contact HR Dept.
1-800-467-6588
or fax resume to
318-255-1597
ATTN: HR Dept.

Profitable Bar and Package Business
For sale with or without property and building.
Reasonable.
Minden-Homer area
377-3100
or 470-6632

ARE YOU 55 OR OLDER?
DO YOU NEED A JOB?
Free job placement assistance is offered to eligible individuals and employers by
THE ULM OLDER WORKER PROGRAMS
Riley "Butch" McMillan is taking applications every Friday at the Claiborne Community Service Center
CALL

Professional Home Health is taking applications for FT RNS and LPNs for M-F position.
New Benefit Package
Competitive wages, flexibility, teamwork atmosphere. Stable
