

ORDINANCE

2004-O-37

AN ORDINANCE ESTABLISHING THE REQUIREMENTS FOR THE PLACEMENT AND PICKUP OF GARBAGE CANS IN THE UNINCORPORATED AREAS OF VERMILION PARISH, AND OTHER MATTERS RELATING TO SOLID WASTE COLLECTION AND DISPOSAL.

SECTION 1. Applicability

The provisions of this ordinance shall apply to the unincorporated areas of Vermilion Parish.

SECTION 2. Definitions

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Commercial unit means a store, shop or office where business is conducted. A shopping center would contain several commercial units.

Contractors' rubble means the residue from construction, building, demolition of parts or whole structures, the residue from do it yourself repairs, or other like operations including excavations, or other such projects.

Garbage means the following: rubbish, trash, kitchen waste, restaurant waste, food containers, paper, rags, floor litter, and other normal kitchen discard, including floor sweepings.

Generator means the individual, corporation, partnership, or group responsible for creating the solid waste or other material regulated by this Chapter and shall include the property owner, lessee and/or transporter of the waste.

Householder means the user-renter, occupant, or in their absence or default, to the owner of the property.

Producer means the entity which either generated the waste or refuse and/or the property from which the waste or refuse emanates.

Industrial unit means a place of business where manufacturing, canning, assembling, processing, and the like, are conducted.

Solid waste means garbage and trash and discarded household goods. It shall not include hazardous wastes, i.e., any chemical, compound, mixture, substance or article which is designated by the United States Environmental Protection Agency or appropriate agency of the state to be hazardous. It shall also not include large automobile or other vehicle pads.

Trash means the following: small quantities of grass trimmings, leaves, hedge trimmings, magazines, books, newspapers, wrapping paper (and the like), general household discard, not including wooden barrels, boxes or crates, but including cardboard boxes and similar objects.

Trash container means the mechanically collected container distributed by the Vermilion Parish Police Jury.

Vermilion Parish Police Jury includes the Jury and any department therein assigned the responsibility for solid waste matters, or any third party retained by the Jury to contractually assume the responsibility for the collection of solid waste.

SECTION 3. Collection of Solid Waste.

During the existence of the current solid waste tax and designation of the Vermilion Parish Police Jury as the public body charged with the responsibility for collecting such waste, the Police Jury is the legal entity which shall exercise authority for the collection of waste for the unincorporated areas of Vermilion Parish, and the Police Jury shall designate the times and manner of collection, as well as requirements for trash containers.

SECTION 4. Applicability of Police Jury requirements.

Where not inconsistent with this Chapter, the rules and regulations imposed by the Vermilion Parish Police Jury regarding the collection of all refuse shall be binding and enforceable as part of this ordinance.

SECTION 5. Type and construction of trash containers.

Every household and every commercial and industrial unit in the unincorporated areas that wants to utilize the Vermilion Parish Solid Waste Program shall have and utilize a container approved and provided by the Vermilion Parish Police Jury. The use of a container and/or receptacle not specifically approved by the Vermilion Parish Police Jury is specifically prohibited.

SECTION 6. Items for deposit within trash containers.

Adopted by reference are the rules established by the Louisiana Department of Environmental Quality and the Vermilion Parish Police Jury regulating the nature of items which may be deposited within a trash container. No material shall be placed within a trash container which is specifically excluded therefrom. Any material removed from the trash container by the Vermilion Parish Police Jury shall be handled by the producer of the refuse as provided herein.

SECTION 7. Collection fees.

Any fees or charges imposed by the Vermilion Parish Police Jury for the collection of special items or additional services outside of the standard collection required under the current taxing structure shall be paid by the individual, or business or jurisdictional entity incurring the same.

SECTION 8. Location of trash containers.

(a) **Storage.** All trash containers shall be maintained in a location on the property in such a manner as to be obscured from public view. Under no circumstances shall a trash container remain along, or adjacent, to the curb line in front of the property which has generated the trash, unless it is placed within an enclosed fence situated off of the parish right-of-way.

(b) **Collection.** All trash containers shall be placed on the road shoulder in front of the property which has generated the trash in the position and location designated by the Vermilion Parish Police Jury. No trash container shall be placed on the road shoulder for collection more than twenty-four (24) hours prior to the regularly designated collection for that property and shall be removed from the road shoulder within twenty-four (24) hours after collection.

(c) **Exceptions.** Persons over the age of sixty-five, or having a disabling condition which prevents compliance or constitutes an undue hardship in complying with this section may apply for a variance. Request for a variance shall be made to the Vermilion Parish Police Jury, 100 N. State St., Suite 200, Abbeville, LA 70510, and shall include: (1) the party's name, (2) the municipal address of the property, (3) the trash container number, (4) the reason for requesting a variance. Having attained the age of sixty-five and/or having been granted a handicapped license plate by the State of Louisiana shall be conclusive proof of entitlement to a variance.

SECTION 9. Depositing of refuse on the property or in the container of another.

No person shall deposit any item in the trash container belonging to another without the express consent of the owner of said trash container. No person shall place or deposit any item for collection upon the property belonging to another without the express consent of the property owner.

SECTION 10. Disposal of garden trash, old furniture and other rubbish.

(a) **Collection.** No refuse disallowed for deposit into a trash container shall be placed in the trash container, nor shall said refuse be placed on the road shoulder for collection unless a request has been made with the Vermilion Parish Police Jury for collection of said refuse. All such material placed on the road shoulder for collection shall be removed within a reasonable period not to exceed one month by the owner.

(b) **Preparation.** Branches, tree limbs, small tree (six-inch diameter) trunks and small tree (18-inch diameter) roots, household furniture; and old carpets, linoleum and like floor coverings shall be placed at the back of the road right of way, or at any other location designated by the Vermilion Parish Police Jury. None of such items shall be over eighteen (18") inches in diameter, nor over six (6') feet long.

SECTION 11. Disposal of tree trimmings, hedge cuttings, leaves, grass and weeds.

(a) Any person desiring to place tree trimmings or hedge cuttings or shrubbery of any kind for removal shall be placed at the back of the road right of way for collection. No material in excess of six (6) feet long, nor in excess of eighteen (18") inches in diameter shall be placed for pickup.

b) Leaves, weeds and grass will be considered as trash and shall not be placed on the public rights-of-way in any manner other than bagged and placed within a regulation container as defined in Section 5.

SECTION 12. Transportation of garbage, trash or debris.

Any person transporting, hauling, or permitting the transportation or hauling of any garbage, trash, or other debris within the Parish of Vermilion shall take all reasonable and necessary precautions to prevent the scattering or spilling of the garbage, trash, or other debris from the vehicle being used to convey the same. Any open conveyance of loose items shall be secured with a tarpaulin or other covering to prevent spillage; items enclosed within uncompromised plastic trash bags and containers need not be covered. This ordinance shall not apply to trucks properly loaded with debris too heavy to blow off during transportation.

It shall be the responsibility of the transporter to immediately stop and collect any garbage, trash, or other debris which falls off or is blown off of the vehicle being used to convey the same, and the failure to do so shall render both the trash generator and the transporter liable unto the Parish of Vermilion for the cost of all remedial action necessary to collect and dispose of the same. Any person found to be in violation of this ordinance shall be subject to immediate stop and impoundment of the vehicle pending compliance.

SECTION 13. Yard trash and other large accumulations.

Items which exceed the size limits set forth in Sections 10 and 11, above, shall be removed by the property owner at the owner's expense. Such items shall be removed from the property within a reasonable period of time, not to exceed one month

In violation hereof the Police Jury shall provide the property owner with twenty-four (24) hour's notice of the Police Jury's intention to remove, or have removed, the items and thereafter, if the Police Jury removes the refuse, the property owner shall be charged the actual cost of removal, with a minimum charge of \$100.00 for each collection for such items removed. If the bill is not paid within 30 days, the Police Jury shall send notice by registered mail to the owner as listed on the Parish tax rolls. If the bill is still unpaid after 30 days, the Police Jury shall have, when duly recorded in the records of Vermilion Parish, a lien and privilege upon the real property of the owner or owners for such expenses, and such amount shall be carried as an assessment against such property upon the tax rolls of the Parish and may be collected in the same manner as are all other taxes of the Parish.

SECTION 14. Disposal of dead animals.

Dead animals shall not be placed in a trash container, nor shall any dead animal be placed on, or along, any Parish Street or right-of-way for collection.

SECTION 15. Fish and poultry and animal waste.

Refuse created from the cleaning of fish, fowl, game, or livestock shall not be placed for collection unless and **until** the same has been packaged in a sealed plastic bag and placed within a trash container approved by the Vermilion Parish Police Jury.

SECTION 16. Disposal of waste not classified as garbage or trash.

(a) Building debris such as plaster, roofing, concrete and brickbats resulting from construction, repair or remodeling of any building or appurtenances on private property must be privately removed by the generator of this debris.

(b) Any person desiring to dispose of any waste, debris or rubbish from dwellings, business establishments or other places, due to regular business or from rebuilding or remodeling or new construction or other substances not coming within the definition of garbage or trash provided in this article and who desires to place the same at the road right of way line for collection by the Police Jury's, private collectors, or by himself, must securely tie, wrap or place the same in a container so that the substance cannot be scattered upon the roads of the Parish. Such waste, debris, rubbish or other substance shall not be placed in the road ditch.

(c) Any contractor or business which is hired or retained to do or perform work at any location within the Parish boundaries, is prohibited from placing construction materials and/or debris on or adjacent to parish roads, and is required to transport the same to the Vermilion Parish Solid Waste facility, or to obtain a temporary (48 Hour) on site trailer from the Vermilion Parish Police Jury for the disposal of such materials.

SECTION 17. Disposal of appliances.

Disposal of appliances shall be by pick-up through the normal trash pickup by the Vermilion Parish Police Jury.

SECTION 18. Disposal of refrigerators, deep freezers and similar air-tight containers.

It shall be unlawful for any person, organization, firm or corporation to abandon or place out-of-doors on any lot, tract, parcel of ground, right-of-way, or area where children may be playing or have access in the city limits, any icebox, refrigerator, deep freezer or any other container of any kind which has an airtight door, or which may not be released for opening from the inside of such icebox, refrigerator, deep freezer or container, or any abandoned, unattended or discarded icebox, refrigerator, deep freezer or any other container of any kind which is airtight and has a snap lock or other device thereon without first removing such snap lock or door from such icebox, refrigerator or container.

Disposal of such appliances must be made in accordance with state and federal regulations governing refrigerant, and may be disposed of in any solid waste disposal site meeting all parish, state, and federal regulations. They may be placed out for special pickup in accordance with Sec. 17, only if sealed to prevent entry, and only if in compliance with other applicable law.

State Law References: Similar provisions, R.S. 14324.

SECTION 19. Mixing collectible and non-collectible waste.

The designations and classification of waste as stated previously is mandatory and the commingling of non-collectible items with collectible items or depositing non-collectible items within trash containers is prohibited.

SECTION 20. Tampering with trash containers.

It shall be unlawful for any person to damage, molest, remove, handle or to otherwise disturb the trash containers or the contents, either while situated upon private property or which have been placed on parish property for servicing or collection by the Vermilion Parish Police Jury. This section does not apply to the owner, occupant, lessee or tenant of the residence or dwelling so placing the container and contents.

SECTION 21. Placing substances in streets, sidewalks, alleys and ditches

(a) It is hereby declared unlawful for any person to throw, place or cause to be placed on any sidewalk or on paved street, or in the gutter of any paved street, or on any unpaved street, or in the drainage ditches adjoining any unpaved street, or in any drainage ditch or drainage space, any nails, tacks, bottles, rocks, bricks, paper, trash or other debris of any kind, or any other substance whatsoever, provided that this subsection does not apply to regularly designated maintenance crews of the Police Jury or public utility companies as provided bylaw.

(b) Notwithstanding the provisions of subsection (a) of this section, any person placing or throwing in any road street or alley any dead cats, chickens, rats or other animals, tainted meat, decayed fruits or vegetables, filthy water, human or other excrement, at anything of like nature, or any substance in any manner other than as provided in this chapter, shall be guilty of causing a nuisance and shall be required to abate the same, or to pay for the abatement by the Police Jury, or its designee.

SECTION 22. Right-of-way of department vehicles.

All employees and vehicles of the Police Jury's authorized solid waste collectors shall have the right-of-way in the use of the streets, and are hereby given permission to use any part of the streets in the operation of such vehicles in collecting solid waste from the road streets of the Parish.

SECTION 23. Dumping on private property.

It shall be unlawful for any person to maintain an unpermitted public or private dump within the unincorporated areas of the parish, or to allow the storage or collection of any garbage, trash or refuse upon any property within the unincorporated areas of the parish. It shall also be unlawful for any person to dump, or cause to be dumped, any garbage, trash or refuse upon any property belonging to any person without the written consent of the owner.

SECTION 24. Responsibility to keep premises clean.

All owners and occupants of any building, house or structure, as well as the owner or lessee of any parcel of ground shall be held responsible for the cleanliness of their premises as well as the adjacent public right of way when the condition thereof is a result or consequence of owner or lessee activity on the property. It is hereby declared unlawful to sweep paper, trash, litter, dirt, or other material into the roads, streets, sidewalks, or other public ways.

SECTION 25. Scavenging.

It shall be unlawful for any person to perform scavenging operations or to scavenge, dig in or remove trash from within trash containers placed upon the road right of way for collection. This section shall not apply to the owner of the trash container.

SECTION 26. Hauling swill through streets.

All persons hauling or conveying swill, slop and like refuse through the roads or streets of the Parish shall carry the same in closed metal containers, securely covered, so that the contents may not be spilled or odors emitted therefrom.

SECTION 27. Penalties.

Any violation of these ordinances shall be considered both a public nuisance and a misdemeanor and enforcement may be obtained both civilly and criminally. All cost associated with the repair and remediation of the nuisance shall be borne by the generator of the nuisance.

Any violation of this Chapter may also be charged and prosecuted as a misdemeanor as follows:

- (1) Upon first conviction of violation of this section, the person shall be fined \$50.00 for each such violation.
- (2) Upon second conviction of violation of this section, the person shall be fined \$100.00 for each violation.
- (3) Upon third and subsequent convictions of violation of this section, the person shall be fined \$200.00 for each such violation.

* * * * *

I, Michael J. Bertrand, Secretary-Treasurer, of the Vermilion Parish Police Jury, do hereby certify that the above is a true and exact copy of an ordinance adopted by the Vermilion Parish Police Jury, at the regular meeting of October 18, 2004, at which a quorum was present and acting.

Michael J. Bertrand
Secretary-Treasurer
Vermilion Parish Police Jury

**AMENDMENT NO. 1
TO
ORDINANCE 04-O-37**

AN AMENDMENT TO CERTAIN SECTIONS OF ORDINANCE 04-O-37: "ORDINANCE ESTABLISHING THE REQUIREMENTS FOR THE PLACEMENT AND PICKUP OF GARBAGE CANS IN THE UNINCORPORATED AREAS OF VERMILION PARISH, AND OTHER MATTERS RELATING TO SOLID WASTE COLLECTION AND DISPOSAL"; TO ADD PARAGRAPHS REQUIRING PLACEMENT OF CONTAINERS, DEBRIS, ETC. SO AS NOT TO INTERFERE WITH MOTOR VEHICLE TRAFFIC IN ANY WAY.

Be it ordained by the Police Jury of Vermilion Parish, Louisiana, that proceeding under its police powers, and further pursuant of the laws of the State of Louisiana, the ordinance is hereby amended to reflect the addition of the following Section:

SECTION 28. Interference with motor vehicle traffic is prohibited. All trash containers, trash, waste, rubbish, tree trimmings, debris, or any other material shall be placed for collection in such a manner so as not to interfere with motor vehicle traffic in any way.

The provisions of the above paragraph shall be made a part of the following Sections by reference.

SECTION 8. Location of trash containers.

SECTION 10. Disposal of garden trash, old furniture and other rubbish.

SECTION 11. Disposal of tree trimmings, hedge cuttings, leaves, grass and weeds.

SECTION 13. Yard trash and other large accumulations.

SECTION 16. Disposal of waste not classified as garbage or trash.

SECTION 17. Disposal of appliances.

SECTION 18. Disposal of refrigerators, deep freezers, and similar air-tight containers.

SECTION 21. Placing substances in street, sidewalks, alleys and ditches.

Upon motion of Mr. Carroll Duhon, duly seconded by Mr. Mark Poche, the above amendment was presented for adoption as Item No. 7 of the April 13, 2005 Public Works Committee Recommendations, and the vote thereon was as follows:

YEAS: Mr. Purvis Abshire, Mr. Ernal "E. J." Broussard, Mr. Minos Broussard
Mr. Maxwell Chreene, Mr. Ronald Darby, Mr. Carroll Duhon,
Mr. Hubert Faulk, Mr. Gaulman Gaspard, Mr. Luther "Buster" Hardee, III,
Mr. Ravis Menard, Mr. Mark Poche, Mr. T. J. Prejean, Jr., Mr. Edval
Simon, Jr., Mr. Wayne Touchet

NAYS: None

ABSENT AND/OR NOT VOTING: None

Whereupon, the President declared the Public Works Committee Recommendations were approved as amended.

I, Michael J. Bertrand, Secretary/Treasurer of the Vermilion Parish Police Jury, do hereby certify that the above is a true and exact copy of the amendment to the ordinance adopted by the Vermilion Parish Police Jury at their regular meeting of April 18, 2005, at which a quorum was present and voting.

Michael J. Bertrand
Secretary/Treasurer

AMENDMENT NO. 2
ORDINANCE
2004-O-37

**AN ORDINANCE AMENDING ORDINANCE NO. 2004-O-37
ESTABLISHING THE REQUIREMENTS FOR THE PLACEMENT
AND PICKUP OF GARBAGE CANS IN THE UNINCORPORATED
AREAS OF VERMILION PARISH, AND OTHER MATTERS
RELATING TO SOLID WASTE COLLECTION AND DISPOSAL.**

BE IT ORDAINED by the Police Jury of Vermilion Parish, in regular session convened on this 21st day of June, 2010, proceeding under its police power pursuant to the laws of the State of Louisiana, that the Vermilion Parish Police Jury hereby amends the Parish Ordinance No. 2004-O-37 relative to establishing the requirements for the placement and pickup of garbage cans in the unincorporated areas of Vermilion Parish, and other matters relating to Solid Waste collection and disposal.

BE IT FURTHER ORDAINED that it is the desire of the Vermilion Parish Police Jury to amend Ordinance No. 2004-O-37 to AMEND Section 10 (B) and to have same read as follows:

SECTION 10. Disposal of garden trash, old furniture and other rubbish.

- (b) **Preparation.** Branches, tree limbs, small tree (six-inch diameter) trunks and small tree (18-inch diameter) roots, household furniture; and old carpets, linoleum and like floor coverings shall be placed at the back of the road right of way, but not on a catch basin, or at any other location designated by the Vermilion Parish Police Jury. None of such items shall be over eighteen (18") inches in diameter, nor over six (6') feet long.

BE IT FURTHER ORDAINED that all other provisions of Ordinance No. 2004-O-37 shall remain unchanged and in full force and effect.

I, Linda Duhon, Interim Administrative/Secretary-Treasurer, of the Vermilion Parish Police Jury, do hereby certify that the above is a true and exact copy of an ordinance adopted by the Vermilion Parish Police Jury, at the regular meeting of June 21, 2010, at which a quorum was present and acting.

Linda Duhon, Administrator
Vermilion Parish Police Jury

AMENDMENT NO. 3
ORDINANCE
2004-O-37

**AN ORDINANCE AMENDING ORDINANCE NO. 2004-O-37
ESTABLISHING THE REQUIREMENTS FOR THE PLACEMENT
AND PICKUP OF GARBAGE CANS IN THE UNINCORPORATED
AREAS OF VERMILION PARISH, AND OTHER MATTERS
RELATING TO SOLID WASTE COLLECTION AND DISPOSAL.**

BE IT ORDAINED by the Police Jury of Vermilion Parish, in regular session convened on this 22nd day of February, 2011, proceeding under its police power pursuant to the laws of the State of Louisiana, that the Vermilion Parish Police Jury hereby amends the Parish Ordinance No. 2004-O-37 relative to establishing the requirements for the placement and pickup of garbage cans in the unincorporated areas of Vermilion Parish, and other matters relating to Solid Waste collection and disposal.

BE IT FURTHER ORDAINED that it is the desire of the Vermilion Parish Police Jury to amend Ordinance No. 2004-O-37 to ADD to Section 5 and to have same read as follows:

SECTION 5. Type and construction of trash containers.

Once delivered to households, containers shall be in the care, custody and control of each household, which shall be responsible for any damages, claims or losses associated with the placement or retrieval of the container before, during and after the collection process.

BE IT FURTHER ORDAINED that it is the desire of the Vermilion Parish Police Jury to amend Ordinance No. 2004-O-37 to AMEND Section 27 and to have same read as follows:

SECTION 27. Penalties.

Any violation of these ordinances shall be considered both a public nuisance and a misdemeanor and enforcement may be obtained both civilly and criminally. All cost associated with the repair and remediation of the nuisance shall be borne by the generator of the nuisance.

Whoever violates the provisions of this section shall, upon conviction, be guilty of a misdemeanor and subject to a fine not in excess of Five Hundred and no/100 (\$500.00) Dollars and/or imprisonment not in excess of thirty (30) days in the parish jail, or both. Each violation of this ordinance shall be considered a separate offense.

BE IT FURTHER ORDAINED that all other provisions of Ordinance No. 2004-O-37 shall remain unchanged and in full force and effect.

I, Linda Duhon, Interim Administrative/Secretary-Treasurer, of the Vermilion Parish Police Jury, do hereby certify that the above is a true and exact copy of an ordinance adopted by the Vermilion Parish Police Jury, at the regular meeting of February 22, 2011, at which a quorum was present and acting.

Linda Duhon, Administrator
Vermilion Parish Police Jury

AMENDMENT NO. 4

ORDINANCE

2004-O-37

AN ORDINANCE AMENDING ORDINANCE 2004-O-37 ESTABLISHING THE REQUIREMENTS FOR THE PLACEMENT AND PICKUP OF GARBAGE CANS IN THE UNINCORPORATED AREAS OF VERMILION PARISH, AND OTHER MATTERS RELATING TO SOLID WASTE COLLECTION AND DISPOSAL.

BE IT ORDAINED by the Police Jury of Vermilion Parish, in regular session convened on this 4th day of February, 2013, proceeding under its police power pursuant to the laws of the State of Louisiana, that the Vermilion Parish Police Jury hereby amends the Parish Ordinance No. 2004-O-37 establishing the requirements for the placement and pickup of garbage cans in the unincorporated areas of vermilion parish, and other matters relating to solid waste collection and disposal.

BE IT FURTHER ORDAINED that it is the desire of the Vermilion Parish Police Jury to amend Ordinance No. 2004-O-37 to **AMEND** Section 8(c) of said ordinance to have same read as follows:

SECTION 8. Location of trash containers

(c) **Exceptions.** Persons having a condition which prevents compliance or constitutes an undue hardship in complying with this section may apply for a variance. Request for a variance shall be made to the Vermilion Parish Police Jury, 100 N. State St., Suite 200, Abbeville, LA 70510, and shall include: (1) the party's name, (2) the municipal address of the property, (3) the trash container number, (4) the reason for requesting a variance, and (5) any medical documentation. Requests for variance shall be considered on a case by case basis by the Vermilion Parish Police Jury, and any decision rendered shall be at the sole discretion of the Vermilion Parish Police Jury.

BE IT FURTHER ORDAINED that all other provisions of Ordinance No. 2004-O-37, and any amendments thereto, shall remain the same.

This amendment having been submitted in writing, having been read and adopted at a public meeting of the Police Jury of the Parish of Vermilion, State of Louisiana was then submitted to an official vote as a whole, the vote was thereon being as follows:

YEAS: Mr. Nathan Granger, Mr. Wayne Touchet, Mr. Leon Broussard, Mr. Ronald Menard, Mr. Pervis Gaspard, Mr. Ronald Darby, , Mr. Allen LeMaire Mr. Mark Poche', Mr. Dane Hebert, Mr. Sandrus Stelly. Mr. Errol J. Domingues

NAYS:

ABSENT: Mr. Paul Bourgeois, Mr. Cloris J. Boudreaux, Mr. Kevin Sagrera

NATHAN GRANGER, President

I, Linda Duhon, Parish Administrator of the Vermilion Parish Police Jury, do hereby certify that the above is a true and exact copy of an ordinance adopted by the Vermilion Parish Police Jury, at the regular meeting of February 4, 2013, at which a quorum was present and acting.

LINDA DUHON
Administrator
Vermilion Parish Police Jury

ORDINANCE

AN AMENDMENT TO ORDINANCE NO. 2004-O-37, APPROVED BY THE VERMILION PARISH POLICE JURY AT THEIR REGULAR MEETING HELD ON MAY 15, 2006.

THE AMENDMENT RESCINDS SECTION 27. PENALTIES PART (1, 2, 3, & 4) OF ORDINANCE 2004-O-37 TO CHANGE PENALTIES AS FOLLOWS:

SECTION 27. Penalties.

Any violation of these ordinances shall be considered both a public nuisance and a misdemeanor and enforcement may be obtained both civilly and criminally. All cost associated with the repair and remediation of the nuisance shall be borne by the generator of the nuisance.

Any violation of this Chapter may also be charged and prosecuted as a misdemeanor as follows:

- 1) Upon **first** conviction of violation of this section, the person shall be sent a certified letter.
- 2) Upon **second** conviction of violation of this section, the person shall be fined \$50.00 for each such violation.
- 3) Upon **third** conviction of violation of this section, the person shall be fined \$100.00 for each violation.
- 4) Upon **fourth** and subsequent convictions of violation of this section, the person shall be fined \$200.00 for each such violation.

I, Clay P. Menard, Secretary-Treasurer, of the Vermilion Parish Police Jury, do hereby certify that the above is a true and exact copy of an ordinance adopted by the Vermilion Parish Police Jury, at the regular meeting of May 15, 2006, at which a quorum was present and acting.

Clay P. Menard
Secretary-Treasurer
Vermilion Parish Police Jury