

**VILLAGE OF MAURICE**

**ORDINANCE 11-9A**

**AMENDING ORDINANCE 02-10-A and 84-10-A  
Adopted on October 17, 1984**

**Regulating the Maintenance of  
Lots and Sidewalks: Remedies: Assessment;  
Noxious Growths, Grasses, Weeds, and Buffer Zones**

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**BE IT ORDAINED** by the Mayor and Board of Aldermen of the Village of Maurice, Louisiana, acting as the governing authority of said Village that:

The Village of Maurice, Louisiana, does hereby amend Ordinance Number 84-10-A to the extent that the following language is added to said Ordinance as follows:

Section 1. DEFINITIONS

“a. Regulated Properties. Owners, tenants or occupants of any leased or occupied lots or places or areas or lands or property immediately adjacent to and within a buffer zone adjacent to commercial, residential property or public rights-of-way as hereinafter defined shall maintain all grass and noxious weeds on such property below an average height not to exceed 12 inches.

b. Residential Properties. For the purposes of this Article residential properties is defined as any tract of land which has been used for residential purposes.

c. Buffer Zone. Buffer zone is that area of property located immediately adjacent to commercial, residential and/or public rights-of-way in which an area of property is determined by the Village of Maurice, through its administration, as a buffer zone to commercial, residential and/or public rights-of-way. The determination by the Village of Maurice, through its administration, that an area of property is a buffer zone to residential and/or public rights-of-way shall be within the sole discretion of the government of the Village of Maurice through its administration and approved by the Mayor. However, nothing to the contrary notwithstanding buffer zones of at least 20 feet in depth into a property and varying in length along a common property line of residential or commercial property or public rights-of-way as herein defined shall be

regulated by this Article. For the purposes of this ordinance, all buffer zones shall be free of all noxious weeds/grasses that are identified above.

d. Wooded Lot. A wooded lot is any lot having more than one viable tree, 6" or greater in diameter per 1500 square foot of grass lot area exclusive of the street right-of-way.

e. Woodland. A woodland is a plant community of one-quarter acre or larger in area, well stocked and comprised predominantly of healthy trees 6" and greater in diameter, and/or woody vegetation, growing more or less closely together, the branches of which form a complete or nearly complete area canopy."

Section 3. SIDEWALKS TO BE KEPT FREE THEREOF

"It shall be unlawful for the owner of any lot, place, or area within the Village, or the agent of such owner, to permit on such lot, place or area, or upon any sidewalk abutting same, any weeds, grass or other deleterious, unhealthful or noxious growths that may be growing, lying and/or located thereon."

Section 5. NOTIFYING OWNER OF VIOLATION; DUTY OF CHIEF OF POLICE

"The Clerk and/or the Chief of Police of the Village is hereby authorized and empowered to notify, in writing, the owner of any such lot, place, or area, or the owner of the abutting property, who is in violation of this Ordinance, or the agent of such owner, to cut, destroy, and/or remove any such noxious weeds, grass or other deleterious, unhealthy or noxious growths on any sidewalks, banquets, or any lot, place or area within the limits of the Village. The amount charged by the Village of Maurice for the cutting, destroying, and/or removing the above referenced grass/grasses/weeds shall be the maximum amount allowable charged by a private lawn cutting entity. Notice to the owner as shown on the last assessment roll of the Village shall be by registered mail, addressed in accordance with the tax rolls of the Village."

Section 6. FAILURE OF OWNER TO COMPLY; REMOVAL BY CITY

"The Village may undertake the cutting, destruction or removal of noxious weeds, grass or other deleterious, unhealthy, or noxious growths on any property within the Village on a monthly basis without notice required in subsection (1) of this section if the property owner who is liable has been notified pursuant to said subsection (1) at anytime during the immediately preceding six (6) months and has failed to do the work himself after having the opportunity to do so. However, prior to the undertaking of such work, the Village Clerk and/or Chief of Police shall file and record an affidavit, signed by the Mayor of the Village, at its administrative office. Said affidavit shall include the following:

- (a) A description of the property sufficient to reasonably identify it;

(b) A photograph of the property sufficient to reasonably identify its unsafe or unsanitary condition, and to justify the necessity for cutting, destroying or removing weeds, grass, or other noxious growths;

(c) A statement that the property owner liable has within the past six (6) months failed to do such work after notification and opportunity to do so pursuant to subsection (1) of this section.”

Section 7. COSTS ASSESSED AGAINST OWNER; TIME OF PAYMENT; PROCEDURE WHEN OWNER FAILS TO PAY

“If after the cutting, destruction or removal of such weeds, grass or growths by the Village after due notice as provided above, the cost or expense thereof has not been paid within ten (10) days, the tax collector of the Village shall furnish the owner as shown on the last assessment roll of the municipality, by registered mail, a written statement showing the costs and/or expenses incurred for the work, and the place or property on which the work was done. If the said statement is not paid within one (1) month after receipt, the amount thereof shall be included in and form a part of the taxes due by the owner of said property, and when collected shall be credited to the general fund of said Village.

If the full amount due the Village pursuant to this article is not paid by the owner of the property concerned within ten (10) days after cutting, destroying and/or removal of such weeds, or deleterious, unhealthful growths, or other noxious matter as set forth in this article, then the Clerk of the Village shall cause to be recorded in the mortgage records of the Parish, a sworn statement showing the cost and expense incurred for the work and the date, place or property on which said work was done. The recordation of such sworn statement shall constitute a lien and privilege on the property and shall remain in full force and effect of the amount due in principal and interest, plus costs of court, if any, for collection until the final payment has been made; said costs and expenses shall be collected in the manner fixed by law for the collection of taxes, and further shall be subject to a delinquent penalty of ten (10%) percent in the event said is not paid in full on or before the date of statement upon which said charge appears becomes delinquent. The sworn statement recorded in accordance with the provisions hereof shall be prima facie evidence that all legal formalities have been complied with and that the work has been properly and satisfactorily performed, and shall be full notice due every person concerned that the amount of the statement, plus interest, constitutes a charge against the property designed or described in the statement and that the same is due and collectible as provided by law.”

Section 9. PENALTIES

“Any person who neglects or refuses to cut, destroy or remove any weeds, grass, deleterious material, unhealthful growths, or other noxious matter after having been so requested by the Village, shall be guilty of a misdemeanor and shall be fined no more than One Hundred and No/100 (\$100.00) Dollars, plus applicable costs of court, for a first offense; no more than Two Hundred Fifty and No/100 (\$250.00) Dollars, plus applicable costs of court, for a second offense; and no more than Five Hundred and No/100 (\$500.00) Dollars, plus applicable costs of court, for a third or subsequent offense.”

Section 10. EXCEPTIONS

“Exceptions: This Ordinance shall not apply to:

A. Agricultural Property. The provisions of this Ordinance shall not apply to areas in excess of 2 acres in size when said acreage is used solely and exclusively for agriculture purposes. However, the buffer zones described above shall be applicable to agricultural property. Provided however, properties listed as agricultural property in the records of the Tax Assessor’s office for the Parish of Vermilion, Louisiana, under the Assessor’s Guidelines or other agencies of the Parish and/or State that issue agricultural or farming licenses for granting land are exempt from the provisions of this Article, except areas described in the definition sections above.

B. Woodlands, Wooded Lots and Forested Areas. Woodlands and forested areas are exempted from the provisions of this Article, except however, they shall maintain a buffer zone of 20 feet or more as described above. As used in this Article, a woodland, wooded lot, and/or forest area shall mean and include the area, property, land or portion thereof which bears foliage such as trees growing naturally or being allowed to reforest in addition to the definition described above.”

**BE IT ORDAINED** that upon this Amended Ordinance being enacted, this Ordinance No. 02-10-A shall be repealed.”

**WHEREUPON**, the above Ordinance was read section by section, and was submitted to a vote, the vote thereon being as follows:

**YEAS:** Alderman Darin Desormeaux, Alderwoman Phyllis Johnson and Alderman Gary Villien

**NAYS:** None

**ABSENT OR PRESENT AND NOT VOTING:** None

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The above Ordinance was declared adopted on this 21<sup>st</sup> day of September, 2011, at Maurice, Vermilion Parish, Louisiana, to become effective upon publication.

**THE VILLAGE OF MAURICE**

**BY:** \_\_\_\_\_  
**WAYNE THERIOT, Mayor**

**BY:** \_\_\_\_\_  
**MELANIE DENAIS, Clerk**